

CITY OF NEWPORT BEACH COMMUNITY DEVELOPMENT DEPARTMENT PLANNING DIVISION ACTION REPORT

TO: CITY COUNCIL, CITY MANAGER, AND PLANNING COMMISSION

- FROM: Seimone Jurjis, Community Development Director
- SUBJECT: Report of actions taken by the Zoning Administrator, and/or Planning Division staff for the week ending August 26, 2022.

ZONING ADMINISTRATOR ACTIONS AUGUST 25, 2022

Item 1:	 417 Heliotrope Ave. LLC Condominiums Tentative Parcel Map No. NP2022-007, Condominium Conversion No. CC2022-001 and Coastal Development Permit No. CD2022- 036 (PA2022-137) Site Address: 417 and 417 ¹/₂ Heliotrope Avenue 						
	Action: Approved by Resolution No. ZA2022-056	Council District	6				
Item 2:	Turner Residence Addition and Remodel Coastal Development Permit No. CD2022-028 (PA2022-103) Site Address: 2801 Circle Drive						
	Action: Approved by Resolution No. ZA2022-057	Council District	2				
Item 3:	Chen Residence Coastal Development Permit No. CD2022-013 (PA2022-042) Site Address: 1424 Galaxy Drive						
	Action: Approved by Resolution No. ZA2022-058	Council District	3				
Item 4:	Biologi Spa Minor Use Permit No. UP2022-016 (PA2022-140) Site Address: 1340 Bison Avenue						
	Action: Approved by Resolution No. ZA2022-059	Council District	3				
	COMMUNITY DEVELOPMENT DIRECTOR OR PLANNING DIVISION STAFF ACTIONS (Non-Hearing Items)						
Item 1:	Bristol Street Starbucks Comprehensive Sign Program No. CS2022-004 (PA2022-136) Site Address: 2122 Bristol Street						

Action: Approved Council District 3

APPEAL PERIOD: An appeal or call for review may be filed with the Director of Community Development or City Clerk, as applicable, within fourteen (14) days following the date the action or decision was rendered unless a different period is specified by the Municipal Code (e.g., Title 19 allows ten (10) day appeal period for tentative parcel and tract maps, lot line adjustments, or lot mergers). For additional information on filing an appeal, contact the Planning Division at 949 644-3200.

RESOLUTION NO. ZA2022-056

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH, CALIFORNIA, APPROVING CONDOMINIUM CONVERSION NO. CC2022-001, TENTATIVE PARCEL MAP NO. NP2022-007 AND COASTAL DEVELOPMENT PERMIT NO. CD2022-036 TO CONVERT AN EXISTING DUPLEX INTO A TWO (2)-UNIT CONDOMINIUM PROJECT LOCATED AT 417 AND 417 ½ HELIOTROPE AVENUE (PA2022-137)

THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

SECTION 1. STATEMENT OF FACTS.

- 1. An application was filed by Wendy Gillfillan of 417 Heliotrope Ave. LLC (Applicant), with respect to property located at 417 and 417 ½ Heliotrope Avenue, and legally described as Lot 17, Block 334 in the CDM Tract requesting approval of condominium conversion, tentative parcel map, and coastal development permit.
- 2. The applicant proposes a condominium conversion, tentative parcel map, and coastal development permit to convert a recently constructed 3,528-square-foot, two (2)-unit dwelling into two (2) condominiums. The required two (2)-car parking per unit will be provided and no waivers of Title 19 (Subdivision Code) development standards are proposed with this application. The existing development complies with all other applicable development standards including height and floor area limits. Approval of the Tentative Parcel Map and Condominium Conversion Permit would allow each unit to be sold individually as condominiums. A coastal development permit (CDP) is required because this property is in the Coastal Zone.
- 3. The property is designated RT (Two Unit Residential) by the General Plan Land Use Element and is located within the R-2 (Two-Unit Residential) Zoning District.
- 4. The subject property is located within the coastal zone. The Coastal Land Use Plan category is RT-D (Two Unit Residential) (20.0-29.9 DU/AC) and it is located within the R-2 (Two-Unit Residential) Coastal Zone District.
- 5. A public hearing was held on August 25, 2022, online via Zoom. A notice of time, place, and purpose of the hearing was given in accordance with the Newport Beach Municipal Code (NBMC). Evidence, both written and oral, was presented to and considered by, the Zoning Administrator at this hearing.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. This project is categorically exempt pursuant to Title 14 of the California Code of Regulations Sections 15301 and 15315, Division 6, Chapter 3 Guidelines for Implementation of the California Environmental Quality Act (CEQA) under Class 1 (Existing

Facilities) and Class 15 (Minor Land Divisions) because it has no potential to have a significant effect on the environment.

- 2. Class 1 exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The proposed project consists of the conversion of an existing 3,528-square-foot, two (2)-unit dwelling with attached garaged and covered parking and does not involve new construction that will expand or enlarge the existing units. The conversion of the two (2)-unit dwellings into condominiums will allow the units to be sold separately.
- 3. Class 15 exempts the division of property in urbanized areas zoned for residential, commercial, or industrial use into four (4) or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels are available, the parcel was not involved in a division of a larger parcel within the previous two (2) years, and the parcel does not have an average slope greater than 20 percent. The Tentative Parcel Map and Condominium Conversion is for individual sale of the units and is consistent with all of the requirements of the Class 15 exemption.

SECTION 3. REQUIRED FINDINGS.

Condominium Conversion

In accordance with Section 19.64.070 (Standards for Condominium Conversions) of the Newport Beach Municipal Code, the following findings are set forth:

Finding:

A. The minimum number and the design and location of off-street parking spaces shall be provided in conformance with the provisions of the Zoning Ordinance in effect at the time of approval of the conversion.

Fact in Support of Finding:

1. As permitted and conditioned, each unit will provide a one (1)-car garage and a one (1)-car carport. The four (4) spaces provided meet the number of spaces required (two [2] per unit) per Chapter 20.40 (Off-Street Parking) of the Zoning Code.

Finding:

B. Each dwelling unit within a building shall have a separate sewer connection to the City sewer.

Fact in Support of Finding:

1. As permitted and conditioned, each unit will maintain separate sewer connections to the City sewer.

Finding:

C. Each sewer lateral shall be retrofitted/fitted with a clean out at the property line.

Fact in Support of Finding:

1. As permitted and conditioned, each unit will provide a separate sewer cleanout located at the property line.

Finding:

D. Each unit shall maintain a separate water meter and water meter connection.

Fact in Support of Finding:

1. As permitted and conditioned, each unit will maintain a separate water meter and water meter connection.

Finding:

E. The electrical service connection shall comply with the requirements of Chapter 15.32 (Underground Utilities) of the Newport Beach Municipal Code.

Fact in Support of Finding:

 The existing two (2)-unit dwelling was constructed with an electrical service connection that was, at such time, determined to comply with the requirements of NBMC Chapter 15.32 (Underground Utilities). No upgrades or changes are required to the existing service connections.

Finding:

F. The applicant for a condominium conversion shall request a special inspection from the Building Division for the purpose of identifying any building safety violations. The applicant shall correct all identified safety violations prior to the approval of a final map for the condominium conversion.

Fact in Support of Finding:

1. A special inspection form was completed on August 8, 2022, by the Building Inspector. The duplex was recently finalized by the building inspector in June 15, 2022, so the building inspector completed the form based on the final of the duplex. The duplex was constructed and finalized with all of the required minimum standards of the Uniform Housing Code as adopted by the City of Newport Beach. There are no corrections required.

Finding:

G. Permanent lot stakes and tags shall be installed at all lot corners by a licensed surveyor or civil engineer unless otherwise required by the City Engineer.

Fact in Support of Finding:

1. As conditioned, the project will comply with this requirement prior to the recordation of the final parcel map.

Finding:

H. For residential conversions, the project shall be consistent with the adopted goals and policies of the General Plan, particularly with regard to the balance and dispersion of housing types within the City.

Facts in Support of Finding:

- The project site is designated as RT (Two Unit Residential) by the Land Use Element of the General Plan. The existing two (2)-unit dwelling is consistent with the RT land use category, which is intended to provide for two (2)-unit dwelling units such as duplexes and townhomes. Thus, the project is consistent with the adopted goals and policies of the Land Use Element and other Elements of the General Plan.
- 2. The existing two (2)-unit dwelling will be converted into a two (2)-unit condominium. The residential density on the site will remain the same.

Finding:

I. The establishment, maintenance, or operation of the use or building applied for shall not, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City.

Facts in Support of Finding:

- 1. The application of the project as conditioned will ensure the health, safety, peace, comfort, and general welfare of persons residing or working in the neighborhood and the City.
- 2. The requested application is to convert an existing two (2)-unit dwelling into two (2) condominiums for individual sale of the units on property located within the R-2 Zoning District.
- 3. Public improvements will be required of the Applicant per the Municipal Code and the Subdivision Map Act.

Tentative Parcel Map

The Zoning Administrator determined in this case that the Tentative Parcel Map is consistent with the legislative intent of Title 20 of the Newport Beach Municipal Code and is approved based on the following findings per <u>Section 19.12.070 (Required Findings for Action on Tentative Maps)</u> of Title 19:

Finding:

J. The proposed map and the design or improvements of the subdivision are consistent with the General Plan and any applicable specific plan, and with applicable provisions of the Subdivision Map Act and this Subdivision Code.

Facts in Support of Finding:

- 1. The Tentative Parcel Map is for two (2)-unit residential condominium purposes. The two (2)-unit dwellings will comply with current condominium standards. The proposed subdivision and improvements are consistent with the density of the R-2 Zoning District and the RT General Plan Land Use Designation.
- 2. The property is not located within a specific plan area.

Finding:

K. The site is physically suitable for the type and density of development.

- 1. The lot is physically suitable for two (2)-unit development because it is regular in shape. The property has been developed with 2 units since the 1950s.
- 2. The subject property is accessible from the alley at the rear and is adequately served by existing utilities.

L. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat. However, notwithstanding the foregoing, the decision-making body may nevertheless approve such a subdivision if an environmental impact report was prepared for the project and a finding was made pursuant to Section 21081 of the California Environmental Quality Act that specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the environmental impact report.

Fact in Support of Finding:

- This project has been reviewed, and it has been determined that it qualifies for a Class 1 and Class 15 categorical exemption pursuant to Title 14 of the California Code of Regulations (Sections 15301 and 15315, Division 6, Chapter 3 Guidelines for Implementation of the California Environmental Quality Act).
 - a. Class 1 exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The proposed project consists of the conversion of an existing 3,528-square-foot, two (2)-unit dwelling with attached four (4)-car garaged/covered parking and involves no new construction to expand or enlarge the existing units. The conversion of the two (2)-unit dwellings into condominiums will allow the units to be sold separately.
 - b. Class 15 exempts the division of property in urbanized areas zoned for residential, commercial, or industrial use into four (4) or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels are available, the parcel was not involved in a division of a larger parcel within the previous two (2) years, and the parcel does not have an average slope greater than 20 percent. The existing two (2)-unit dwelling is a permitted use and minimal physical improvements are necessary to allow the requested condominium conversion for the individual sale of the units. The site has not been subject to a prior subdivision and does not have a slope of greater than 20 percent.

Finding:

M. The design of the subdivision or the type of improvements is not likely to cause serious public health problems.

Fact in Support of Finding:

 The Tentative Parcel Map is for residential condominium purposes. All improvements associated with the project will comply with all Building, Public Works, and Fire Codes, which are in place to prevent serious public health problems. Public improvements will be required of the applicant per Section 19.28.010 (General Improvement Requirements) of the Municipal Code and Section 66411 (Local agencies to regulate and control design of subdivisions) of the Subdivision Map Act. All ordinances of the City and all Conditions of Approval will be complied with.

Finding:

N. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. In this connection, the decision-making body may approve a map if it finds that alternate easements, for access or use, will be provided and that these easements will be substantially equivalent to ones previously acquired by the public. This finding shall apply only to easements of record or to easements established by the judgment of a court of competent jurisdiction and no authority is hereby granted to the City Council to determine that the public at large has acquired easements for access through or use of property within a subdivision.

Fact in Support of Finding:

1. The design of the development will not conflict with easements acquired by the public at large, for access through, or use of property within the proposed development, because there are no public easements located on the property.

Finding:

O. The subject to the detailed provisions of Section 66474.4 of the Subdivision Map Act, if the land is subject to a contract entered into pursuant to the California Land Conservation Act of 1965 (Williamson Act), the resulting parcels following a subdivision of the land would not be too small to sustain their agricultural use or the subdivision will result in residential development incidental to the commercial agricultural use of the land.

- 1. The property is not subject to the Williamson Act because the subject property is not designated as an agricultural preserve and is less than 100 acres in area.
- 2. The site is developed for residential use and lies in a Zoning District that permits residential uses.

P. In the case of a "land project" as defined in Section 11000.5 of the California Business and Professions Code: (1) there is an adopted specific plan for the area to be included within the land project; and (2) the decision-making body finds that the proposed land project is consistent with the specific plan for the area.

Facts in Support of Finding:

- 1. California Business and Professions Code Section 11000.5 has been repealed by the Legislature. However, this project site is not considered a "land project" as previously defined in Section 11000.5 of the California Business and Professions Code because the Project site does not contain 50 or more parcels of land.
- 2. The project is not located within a specific plan area.

Finding:

Q. Solar access and passive heating and cooling design requirements have been satisfied in accordance with Sections 66473.1 and 66475.3 of the Subdivision Map Act.

Fact in Support of Finding:

1. The Tentative Parcel Map and any future improvements are subject to Title 24 of the California Building Code which requires new construction to meet minimum heating and cooling efficiency standards depending on location and climate. The Newport Beach Building Division enforces Title 24 compliance through the plan check and inspection process.

Finding:

R. The subdivision is consistent with Section 66412.3 of the Subdivision Map Act and Section 65584 of the California Government Code regarding the City's share of the regional housing need and that it balances the housing needs of the region against the public service needs of the City's residents and available fiscal and environmental resources.

Fact in Support of Finding:

 The two (2)-unit dwelling is consistent with the R-2 Zoning District which allows two (2) residential units on the property. Therefore, the Tentative Parcel Map for condominium purposes will not affect the City in meeting its regional housing need.

S. The discharge of waste from the proposed subdivision into the existing sewer system will not result in a violation of existing requirements prescribed by the Regional Water Quality Control Board.

Fact in Support of Finding:

1. The two (2)-unit dwelling is designed so that wastewater discharge into the existing sewer system complies with the Regional Water Quality Control Board (RWQCB) requirements.

Finding:

T. For subdivisions lying partly or wholly within the Coastal Zone, that the subdivision conforms with the certified Local Coastal Program and, where applicable, with public access and recreation policies of Chapter Three (3) of the Coastal Act.

Fact in Support of Finding:

 The subject property is located within the Coastal Zone. A coastal development permit is requested in conjunction with the proposed tentative parcel map and condominium conversion application. The project complies with the certified Local Coastal Program (LCP) and public access and recreation policies of Chapter 3 of the Coastal Act. The Facts in Support of Findings U and V for the *Coastal Development Permit* (below) are hereby incorporated by reference.

Coastal Development Permit

In accordance with <u>Section 21.52.015 (Coastal Development Permits, Findings, and Decision)</u> of the Newport Beach Municipal Code, the following findings and facts in support of such findings are set forth:

Finding:

U. Conforms to all applicable sections of the certified Local Coastal Program.

Facts in Support of Finding:

1. The Tentative Parcel Map is for two (2)-unit residential condominium purposes. The existing duplex conforms to all applicable development standards, including floor area limit, setbacks, height, and off-street parking. The proposed subdivision and improvements are consistent with the density of the R-2 Coastal Zoning District.

- 2. The property is located in an area known for the potential for seismic activity. All projects are required to comply with the California Building Code and Building Division standards and policies.
- 3. The Tentative Parcel Map is for a property that is over 1,700 feet from the harbor and is not near any natural landforms or environmentally sensitive areas.

V. Conforms to the public access and public recreation policies of Chapter 3 of the Coastal Act if the project is located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone.

Facts in Support of Finding:

- 1. The project site is not located between the nearest public road and the sea or shoreline. Implementation Plan Section 21.30A.040 (Determination of Public Access/Recreation Impacts) requires that the provision of public access bear a reasonable relationship between the requirement and the project's impact and be proportional to the impact. In this case, the project is a tentative parcel map for two (2)-unit condominium purposes. The project does not involve a change in land use, density, or intensity that will result in increased demand for public access and recreation opportunities. Furthermore, the project is designed and sited (appropriate height, setbacks, etc.) so as not to block or impede existing public access opportunities.
- 2. The Tentative Parcel Map is for a property that is over 1,700 feet from the harbor and approval of the parcel map will not affect public recreation, access, or views.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

- 1. The Zoning Administrator of the City of Newport Beach hereby finds this project is categorically exempt from the California Environmental Quality Act pursuant to Sections 15301 and 15315 under Class 1 (Existing Facilities) and Class 15 (Minor Land Divisions) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3 because it has no potential to have a significant effect on the environment.
- 2. The Zoning Administrator of the City of Newport Beach hereby approves Condominium Conversion No. CC2022-001, Tentative Parcel Map No. NP2022-007, and Coastal Development Permit No. CD2022-036, subject to the conditions set forth in Exhibit A, which is attached hereto and incorporated by reference.
- 3. This action shall become final and effective 14 days following the date this Resolution was adopted unless within such time an appeal or call for review is filed with the Director of Community Development in accordance with the provisions of NBMC Title 19

(Subdivisions) and Title 21 (Local Coastal Program Implementation Plan). Final action taken by the City on the coastal development permit may be appealed to the Coastal Commission in compliance with Section 21.64.035 of the City's certified LCP and Title 14 California Code of Regulations, Sections 13111 through 13120, and Section 30603 of the Coastal Act.

PASSED, APPROVED, AND ADOPTED THIS 25th DAY OF AUGUST, 2022.

Jaime Murillo Zoning Administrator

EXHIBIT "A"

CONDITIONS OF APPROVAL

Planning Division

- 1. The project is subject to all applicable City ordinances, policies, and standards unless specifically waived or modified by the conditions of approval.
- 2. The applicant shall obtain a building permit for the condominium conversion. The building permit for the condominium conversion shall not receive final inspection until after the recordation of the parcel map.
- 3. The Applicant shall comply with all federal, state, and local laws. A material violation of any of those laws in connection with the use may be cause for revocation of this approval.
- 4. This approval shall expire and become void unless exercised within 24 months from the actual date of review authority approval, except where an extension of time is approved in compliance with the provisions of Title 19 Subdivisions and Title 21 of the NBMC.
- 5. To the fullest extent permitted by law, Applicant shall indemnify, defend and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any claims, demands, obligations, damages, actions, causes of action, suits. losses, judgments, fines, penalties, liabilities, costs, and expenses (including without limitation, attorney's fees, disbursements, and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of 417 Heliotrope Ave. LLC Residential Condominiums including, but not limited to, Condominium Conversion No. CC2022-001, Tentative Parcel Map No. NP2022-007, and Coastal Development Permit No. CD2022-036 (PA2022-137). This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorney's fees, and other expenses incurred in connection with such claim, action, causes of action, suit, or proceeding whether incurred by Applicant, City, and/or the parties initiating or bringing such proceeding. The Applicant shall indemnify the City for all of the City's costs, attorneys' fees, and damages, which the City incurs in enforcing the indemnification provisions set forth in this condition. The Applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.

Public Works Department

6. A Parcel Map shall be recorded. The map shall be prepared on the California coordinate system (North American Datum of 1983, NAVD83). Prior to recordation of the map, the surveyor/engineer preparing the map shall submit to the County Surveyor and the City of Newport Beach, a digital-graphic file of the said map in a manner described in Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivisions Manual, Subarticle 18. The Map to be submitted to the City of Newport Beach shall comply with the City's CADD Standards. Scanned images will not be accepted.

- 7. Prior to recordation of the Parcel Map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual Subarticle 18. Monuments (1inch iron pipe with tag) shall be set <u>on each lot corner</u> unless otherwise approved by the Subdivision Engineer. Monuments shall be protected in place if installed prior to completion of the construction project.
- 8. All improvements shall be constructed as required by Ordinance and the Public Works Department.
- 9. All damaged sidewalk panels, curb, gutter, and street along the Heliotrope Avenue and First Avenue frontage and any damaged concrete alley panels along the alley property frontage shall be reconstructed as determined by the Public Works Department.
- 10. A new 4-foot-wide concrete sidewalk along the First Avenue Frontage shall be installed.
- 11. A new ADA-compliant curb access ramp shall be constructed at the Heliotrope Avenue/First Street Avenue curb return.
- 12. A 10-foot radius corner cut-off easement for street and public utility purposes at the Heliotrope Avenue/First Avenue curb return shall be recorded as a part of the parcel map.
- 13. Each unit shall be served by its water meter and sewer lateral and cleanout. Each water meter and sewer cleanout shall be installed with a traffic-grade box and cover.
- 14. All existing overhead utilities shall be undergrounded.
- 15. No above-ground improvements are permitted within the 5-foot alley setback area.
- 16. An encroachment permit is required for all work activities within the public right-of-way.
- 17. All improvements shall comply with the City's sight distance requirement. See City Standard 110-L.
- 18. All existing private, non-standard improvements within the public right-of-way and/or extensions of private, non-standard improvements into the public right-of-way fronting the development site shall be removed.
- 19. All on-site drainage shall comply with the latest City Water Quality requirements.

20. In case of damage done to public improvements surrounding the development site by the private construction, additional reconstruction within the public right-of-way could be required at the discretion of the Public Works Inspector.

Building Division

- 21. Independent utility services shall be provided for each unit.
- 22. If fire sprinklers are required now or in the future, then independent fire risers shall be required for each unit.
- 23. All construction activities shall comply with the California Code of Regulations.

RESOLUTION NO. ZA2022-057

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH, CALIFORNIA, APPROVING COASTAL DEVELOPMENT PERMIT NO. CD2022-028 TO ALLOW REMODELING AND AN ADDITION TO AN EXISTING TWO (2)-STORY SINGLE-FAMILY RESIDENCE, INCLUDING CONSTRUCTION OF A NEW THREE (3)-CAR GARAGE LOCATED AT 2801 CIRCLE DRIVE (PA2022-103)

THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

SECTION 1. STATEMENT OF FACTS.

- 1. An application was filed by Ron Ritner of Ritner Group (Applicant), with respect to property located at 2801 Circle Drive, requesting approval of a coastal development permit.
- 2. The property is legally described as Lots 46 and 47 of Tract No. 1014.
- 3. The Applicant proposes an addition and remodel for an existing two (2)-story singlefamily residence. The proposed project would add approximately 2,130 square feet of living area. The existing substandard garage would be demolished and replaced with a new approximately 633-square-foot three (3)-car garage. The total new building area would be approximately 6,970 square feet. The proposed project includes appurtenances such as new landscaping, site walls, and on-site drainage. The design complies with all applicable development standards, including height, setbacks, parking, and floor area limits. No deviations are requested.
- 4. The subject property is categorized Single Unit Residential Detached (RS-D) by the General Plan Land Use Element and is located within the Single-Unit Residential (R-1) Zoning District.
- 5. The subject property is in the coastal zone. The Coastal Land Use Plan category is Single Unit Residential Detached (6.0 9.9 DU/AC) (RSD-B) and it is located within the Single-Unit Residential (R-1) Coastal Zone District. A coastal development permit is required since the project includes an addition greater than 10 percent of the existing floor area on a site that is located between the first public road paralleling the sea and the sea.
- 6. A public hearing was held on August 25, 2022, online via Zoom. A notice of time, place, and purpose of the hearing was given in accordance with the Newport Beach Municipal Code (NBMC). Evidence, both written and oral, was presented to and considered by, the Zoning Administrator at this hearing.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. This project is categorically exempt pursuant to Title 14 of the California Code of Regulations Section 15301 and 15303, Division 6, Chapter 3, Guidelines for Implementation of the California Environmental Quality Act (CEQA) under Class 1 (Existing

Facilities) and Class 3 (New Construction or Conversion of Small Structures) because it has no potential to have a significant effect on the environment.

- 2. The Class 1 Exemption allows additions to existing structures provided the increase will not be more than 50 percent of the existing floor area or 2,500 square feet, whichever is less. The Class 3 Exemption allows the demolition of up to three (3) single-family residences and additions of up to 10,000 square feet to existing structures. The proposed project is remodeling and additions to one (1) existing single-family residence; therefore, it is consistent with these Exemptions.
- 3. The exceptions to the Class 3 Exemption under Section 15300.2 are not applicable. The project location does not impact an environmental resource of hazardous or critical concern, does not result in cumulative impacts, does not have a significant effect on the environment due to unusual circumstances, does not damage scenic resources within a state scenic highway, and is not a hazardous waste site, and is not identified as a historical resource.

SECTION 3. REQUIRED FINDINGS.

In accordance with Section 21.52.015 (Coastal Development Permits, Findings, and Decision) of the NBMC, the following findings and facts in support of such findings are set forth:

Finding:

A. Conforms to all applicable sections of the certified Local Coastal Program.

- 1. The proposed development complies with applicable residential development standards including, but not limited to, floor area limitation, setbacks, height, and parking.
 - a. The maximum floor area limitation is 19,440 square feet and the proposed floor area is 6,970 square feet.
 - b. The proposed development provides the minimum required setbacks, which are 10 feet along the front property line abutting Waverly Drive, 4 feet along the side property line abutting Circle Drive, and 10 feet along the rear property line consistent with an easement for ingress and egress. There is an existing 6-foot-tall wooden fence that has been in existence since at least 2001 and encroaches into the required front setback area. The fence is not being modified and is existing to remain.
 - c. The highest flat roof element is less than 24 feet from established grade (13.69 feet based on the North American Vertical Datum of 1988 [NAVD 88]) and the highest ridge is no more than 29 feet from established grade, which comply with the maximum height requirements.

- d. The project includes garage parking for a total of three (3) vehicles, complying with the minimum three (3)-car garage parking requirement for single-family residences with 4,000 square feet or more of habitable floor area.
- 2. The neighborhood is predominantly developed with two (2)-story, single-family residences. The proposed design, bulk, and scale of the development are consistent with the existing neighborhood pattern of development.
- 3. The project site is approximately 400 feet from the water and is separated by Bay Shore Drive, Circle Drive, and existing intervening residential development. The project site is not protected by a bulkhead.
- 4. The lowest finish floor elevation of the remodeled single-family residence is 14.47 feet (NAVD 88), which complies with the minimum 9.00 feet (NAVD 88) elevation standard.
- 5. The property is in an area known for the potential of seismic activity and liquefaction. All projects are required to comply with the California Building Code (CBC) and Building Division standards and policies. Geotechnical investigations specifically addressing liquefaction are required to be reviewed and approved prior to the issuance of building permits. Permit issuance is also contingent on the inclusion of design mitigation identified in the investigations. Construction plans are reviewed for compliance with approved investigations and CBC prior to building permit issuance.
- 6. The property is located within 400 feet of coastal waters. A Construction Erosion Control Plan was provided to implement temporary Best Management Practices (BMPs) during construction to minimize erosion and sedimentation and to minimize pollution of runoff and coastal waters derived from construction chemicals and materials. The project design also addresses water quality through the inclusion of a post-construction drainage system that includes drainage and percolation features designed to retain dry weather and minor rain event runoff on-site. Any water not retained on-site is directed to the City's storm drain system.
- 7. All proposed landscaping will comply with Section 21.30.075 (Landscaping) of the NBMC. A condition of approval is included that requires drought-tolerant species. Prior to the issuance of building permits, the final landscape plans will be reviewed to verify invasive species are not planted.
- 8. The project site is not located adjacent to a coastal view road segment, public viewpoint, public park, public beach, or public accessway, as identified in the Coastal Land Use Plan. Furthermore, an investigation of the project site and surrounding area did not identify any other public view opportunities. The project site may be located within the viewshed of distant public viewing areas; however, the project will improve an existing single-family in a way that perpetuates compliance with all applicable Local Coastal Program development standards and maintains a building envelope consistent with the existing neighborhood pattern of development. Therefore, the project does not have the potential to degrade the visual quality of the Coastal Zone or result in significant adverse impacts on public views.

B. Conforms with the public access and public recreation policies of Chapter 3 of the Coastal Act if the project is located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone.

Facts in Support of Finding:

- 1. The project site is located between the nearest public road and the sea or shoreline in the private community of Bayshores. Developed in 1941, Bayshores is a 258-lot, single-family gated community located on the Lido Channel, southwest of Coast Highway and Newport Bay Bridge. The 39-unit Anchorage Apartment complex is also located within the community. The community is accessible from West Coast Highway via Bay Shore Drive, a private street. The shoreline is on the south and east sides of the community and consists of bulkheads and two (2) small sandy beaches.
- 2. Coastal Land Use Plan Policy 3.1.5-3 requires public access consistent with public access policies for any new development in private/gated communities causing or contributing to adverse public access impacts. Section 21.30A.040 (Determination of Public Access/Recreation Impacts) of the NBMC requires that the provision of public access bear a reasonable relationship between the requirement and the project's impact and be proportional to the impact. In this case, the project remodels and adds to an existing single-family residence. Therefore, the project does not involve a change in land use, density, or intensity that will result in increased demand for public access and recreation opportunities. Furthermore, the project is designed and sited so as not to block or impede existing public access opportunities.
- 3. The residential lot does not currently provide, nor does it inhibit public coastal access. Vertical and lateral access to the bayfront is available adjacent to Bayshores at the Balboa Bay Club, immediately west of the community.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

- The Zoning Administrator of the City of Newport Beach hereby finds this project is categorically exempt from the California Environmental Quality Act pursuant to Sections 15301 and 15303 under Class 1 (Existing Facilities) and Class 3 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3 because it has no potential to have a significant effect on the environment.
- 2. The Zoning Administrator of the City of Newport Beach hereby approves Coastal Development Permit No. CD2022-028, subject to the conditions set forth in Exhibit "A," which is attached hereto and incorporated by reference.
- 3. This action shall become final and effective 14 days following the date this Resolution was adopted unless within such time an appeal or call for review is filed with the

Community Development Director in accordance with the provisions of Title 21 Local Coastal Program (LCP) Implementation Plan, of the Newport Beach Municipal Code. The final action taken by the City may be appealed to the Coastal Commission in compliance with Section 21.64.035 (Appeal to the Coastal Commission) of the City's certified LCP and Title 14 California Code of Regulations, Sections 13111 through 13120, and Section 30603 of the Coastal Act.

PASSED, APPROVED, AND ADOPTED THIS 25TH DAY OF AUGUST, 2022.

UC

Jaime Murillo Zoning Administrator

EXHIBIT "A"

CONDITIONS OF APPROVAL

- 1. The development shall be in substantial conformance with the approved site plan, floor plans, and building elevations stamped and dated with the date of this approval (except as modified by applicable conditions of approval).
- 2. No demolition or construction materials, equipment debris, or waste, shall be placed or stored in a location that would enter the sensitive habitat, receiving waters, or a storm drains or results in impacts to environmentally sensitive habitat areas, streams, the beach, wetlands or their buffers. No demolition or construction materials shall be stored on public property.
- 3. Demolition beyond the approved scope of work requires planning division approval prior to commencement of work. Approval of revisions to project plans is not guaranteed. Any changes in the current scope of work may require the entire structure to be demolished and redeveloped in conformance with the current Zoning Code Development Standards.
- 4. The Applicant is responsible for compliance with the Migratory Bird Treaty Act (MBTA). In compliance with the MBTA, grading, brush removal, building demolition, tree trimming, and similar construction activities shall occur between August 16 and January 31, outside of the peak nesting period. If such activities must occur inside the peak nesting season from February 1 to August 15, compliance with the following is required to prevent the taking of native birds pursuant to MBTA:
 - A. The construction area shall be inspected for active nests. If birds are observed flying from a nest or sitting on a nest, it can be assumed that the nest is active. Construction activity within 300 feet of an active nest shall be delayed until the nest is no longer active. Continue to observe the nest until the chicks have left the nest and activity is no longer observed. When the nest is no longer active, construction activity can continue in the nest area.
 - B. It is a violation of state and federal law to kill or harm a native bird. To ensure compliance, consider hiring a biologist to assist with the survey for nesting birds, and to determine when it is safe to commence construction activities. If an active nest is found, one (1) or two (2) short follow-up surveys will be necessary to check on the nest and determine when the nest is no longer active.
- 5. Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) shall be implemented prior to and throughout the duration of construction activity as designated in the Construction Erosion Control Plan.
- 6. The discharge of any hazardous materials into storm sewer systems or receiving waters shall be prohibited. Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. A designated fueling and vehicle maintenance area with appropriate berms and protection to prevent spillage shall be provided as far away from storm drain systems or receiving waters as possible.

- 7. Debris from demolition shall be removed from work areas each day and removed from the project site within 24 hours of the completion of the project. Stockpiles and construction materials shall be covered, enclosed on all sites, not stored in contact with the soil, and located as far away as possible from drain inlets and any waterway.
- 8. Trash and debris shall be disposed of in proper trash and recycling receptacles at the end of each construction day. Solid waste, including excess concrete, shall be disposed of in adequate disposal facilities at a legal disposal site or recycled at a recycling facility.
- 9. Revisions to the approved plans may require an amendment to this Coastal Development Permit or the processing of a new coastal development permit.
- 10. The project is subject to all applicable City ordinances, policies, and standards unless specifically waived or modified by the conditions of approval.
- 11. The Applicant shall comply with all federal, state, and local laws. Material violation of any of those laws in connection with the use may be cause for revocation of this Coastal Development Permit.
- 12. This Coastal Development Permit may be modified or revoked by the Zoning Administrator if determined that the proposed uses or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.
- 13. <u>Prior to the issuance of building permits</u>, the Applicant shall submit a final construction erosion control plan. The plan shall be subject to review and approval by the Building Division.
- 14. <u>Prior to the issuance of building permits</u>, the Applicant shall submit a final drainage and grading plan. The plan shall be subject to review and approval by the Building Division.
- 15. <u>Prior to issuance of a building permit</u>, a copy of the Resolution, including conditions of approval Exhibit "A" shall be incorporated into the Building Division and field sets of plans.
- 16. <u>Prior to issuance of a building permit</u>, the Applicant shall submit a final landscape and irrigation plan. These plans shall incorporate drought tolerant plantings, non-invasive plant species, and water-efficient irrigation design. The plans shall be approved by the Planning Division.
- 17. All landscape materials and irrigation systems shall be maintained in accordance with the approved landscape plan. All landscaped areas shall be maintained in a healthy and growing condition and shall receive regular pruning, fertilizing, mowing, and trimming. All landscaped areas shall be kept free of weeds and debris. All irrigation systems shall be kept operable, including adjustments, replacements, repairs, and cleaning as part of regular maintenance.

- 18. Construction activities shall comply with Section 10.28.040 (Construction Activity— Noise Regulations) of the NBMC, which restricts hours of noise-generating construction activities that produce noise between the hours of 7 a.m. and 6:30 p.m., Monday through Friday, and 8 a.m. and 6 p.m. on Saturday. Noise-generating construction activities are not allowed on Sundays or Holidays.
- 19. All noise generated by the proposed use shall comply with the provisions of Chapter 10.26 (Community Noise Control) and other applicable noise control requirements of the NBMC. The maximum noise shall be limited to no more than depicted below for the specified time periods unless the ambient noise level is higher:

	Between the hours of 7:00 AM and 10:00 PM		Between the hours of 10:00 PM and 7:00 AM	
Location	Interior	Exterior	Interior	Exterior
Residential Property	45dBA	55dBA	40dBA	50dBA
Residential Property located within 100 feet of a commercial property	45dBA	60dBA	45dBA	50dBA
Mixed Use Property	45dBA	60dBA	45dBA	50dBA
Commercial Property	N/A	65dBA	N/A	60dBA

- 20. Prior to the issuance of the building permit, the Applicant shall pay any unpaid administrative costs associated with the processing of this application to the Planning Division.
- 21. Should the property be sold or otherwise come under different ownership, any future owners or assignees shall be notified of the conditions of this approval by the current property owner or agent.
- 22. This Coastal Development Permit No. CD2022-028 shall expire unless exercised within 24 months from the date of approval as specified in Section 21.54.060 (Time Limits and Extensions) of the NBMC unless an extension is otherwise granted.
- 23. To the fullest extent permitted by law, Applicant shall indemnify, defend and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs, and expenses (including without limitation, attorney's fees, disbursements, and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of the Turner Residence Addition and Remodel including, but not limited to, Coastal Development Permit No. CD2022-028 (PA2022-103). This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorney's fees, and other expenses incurred in connection with such claim, action, causes of action, suit, or proceeding whether incurred by Applicant, City, and/or the parties initiating or bringing such proceeding. The Applicant shall indemnify the City for all of the City's costs, attorneys' fees, and damages, which the City incurs in enforcing the indemnification provisions set forth in this condition. The Applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.

RESOLUTION NO. ZA2022-058

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH, CALIFORNIA, APPROVING, COASTAL DEVELOPMENT PERMIT NO. CD2022-013 TO DEMOLISH AN EXISTING SINGLE-FAMILY RESIDENCE AND CONSTRUCT A NEW SINGLE-STORY SINGLE-FAMILY RESIDENCE AND ATTACHED THREE (3)-CAR GARAGE LOCATED AT 1424 GALAXY DRIVE (PA2022-042)

THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

SECTION 1. STATEMENT OF FACTS.

- 1. An application was filed by Phil Nielsen (Applicant), with respect to property located at 1424 Galaxy Drive, and legally described as Lot 78 of Tract 4224 requesting approval of a coastal development permit.
- 2. The applicant proposes the demolition of an existing single-family residence and the construction of a new 4,242-square-foot residence and attached 702-square-foot, three (3)-car garage. The project also includes landscaping, hardscaping, drainage, and site walls. The design complies with all applicable development standards and no deviations are requested.
- 3. The subject property is designated RS-D (Single Unit Residential Detached) by the General Plan Land Use Element and is located within the R-1-6000 (Single-Unit Residential) Zoning District.
- 4. The subject property is located within the coastal zone. The Coastal Land Use Plan category is RSD-A (Single Unit Residential Detached 0.0 5.9 DU/AC) and it is located within the R-1-6000 (Single-Unit Residential) Coastal Zone District.
- 5. A public hearing was held on August 25, 2022, online via Zoom. A notice of time, place, and purpose of the hearing was given in accordance with the Newport Beach Municipal Code (NBMC). Evidence, both written and oral, was presented to and considered by, the Zoning Administrator at this hearing.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

- 1. This project is categorically exempt pursuant to Title 14 of the California Code of Regulations Section 15303, Division 6, Chapter 3, Guidelines for Implementation of the California Environmental Quality Act (CEQA) under Class 3 (New Construction or Conversion of Small Structures), California Code of Regulations because it has no potential to have a significant effect on the environment.
- 2. Class 3 exempts the demolition of up to three (3) single-family residences and additions of up to 10,000 square feet to existing structures. The proposed project consists of the

demolition of one (1) single-family residence and the construction of a 4,242square-foot residence and an attached 702-square-foot, three (3)-car garage.

3. The exceptions to this categorical exemption under Section 15300.2 are not applicable. The project location does not impact an environmental resource of hazardous or critical concern, does not result in cumulative impacts, does not have a significant effect on the environment due to unusual circumstances, does not damage scenic resources within a state scenic highway, and is not a hazardous waste site, and is not identified as a historical resource.

SECTION 3. REQUIRED FINDINGS.

In accordance with Section 21.52.015 (Coastal Development Permits, Findings, and Decision) of the Newport Beach Municipal Code, the following findings and facts in support of such findings are set forth:

Finding:

A. Conforms to all applicable sections of the certified Local Coastal Program.

- 1. The proposed development complies with applicable residential development standards including, but not limited to, site coverage, setbacks, height, parking, and Bluff Overlay standards.
 - a. Site coverage is limited to 60 percent (5,468 square feet) of the 9,114-square-foot lot area. The proposed site coverage area is approximately 60 percent (5,464 square feet).
 - b. The proposed development provides the minimum required setbacks, which are 20 feet along the front bluff-side property line, 6 feet along each side property line, and 6 feet along the rear property line of Galaxy Drive.
 - c. The highest roof ridge is approximately 14 feet from established grade (106.91 feet based on the North American Vertical Datum of 1988 [NAVD88]), significantly less that the 24-foot maximum height limit requirement.
 - d. The project includes garage parking for a total of three (3) vehicles, complying with the minimum three (3)-car garage parking requirement for single-family residences with more than 4,000 square feet of habitable floor area.
 - e. Pursuant to the Bluff Overlay Map B-9D (Upper Newport Bay Bluffs), the property is located on a bluff subject to marine erosion. Consistent with the Bluff Overlay standards, the proposed principal dwelling and major accessory structures (including a swimming pool) are located within Development Area A and setback, at a minimum, of 25 feet from the bluff edge. Minor accessory structures are proposed within

Development Area B and setback, at a minimum, of 10 feet back from the bluff edge. No accessory structures are proposed within Development Area C.

- f. There is an existing nonconforming retaining wall at the rear of the property, within Development Area C at the bluff edge. The retaining wall is nonconforming due to its location in Development Area C, where no development is allowed. The retaining wall was constructed in 1978 as a result of a landslide at the property. A retaining wall conditions report was prepared by PMA Consulting, Inc. dated May 17, 2022, for the project. The report concludes that the existing retaining wall is in good condition and will not require repair or replacement over the next 75 years (i.e., the life of the structure). The existing retaining wall may remain in place pursuant to Section 21.38.040(B) (Nonconforming Structures) of the NBMC.
- 2. The neighborhood is predominantly developed with one (1)-story, single-family residences. The proposed single-story design, bulk, and scale of the development are consistent with the existing neighborhood pattern of development and expected future development.
- 3. The lot was previously graded to provide a relatively level building pad for the construction of the original home. The pad sits approximately 106.91 feet above mean sea level, adjacent to a bluff that descends to Upper Newport Bay. A Geotechnical Investigation dated July 9, 2021, was prepared by R McCarthy Consulting, Inc., for the project and found that the proposed grading and construction will not adversely affect the geologic stability of the existing bluff or adjoining properties or structures, provided construction is performed with report recommendations and sound construction techniques. The report found that the geologic conditions of the site are favorable concerning the gross stability of the bluff that descends from the subject property to the bay. The report concludes that proper drainage design is of critical importance to the stability of the slope and shall be designed by a Licensed Civil Engineer.
- 4. The property is located in an area known for the potential for seismic activity. All projects are required to comply with the California Building Code (CBC) and Building Division standards and policies. Geotechnical investigations specifically addressing landslide are required to be reviewed and approved prior to the issuance of a building permit. Permit issuance is also contingent on the inclusion of design mitigation identified in the investigations. Construction plans are reviewed for compliance with approved investigations and CBC prior to building permit issuance.
- 5. Pursuant to NBMC Section 21.30.030(C)(3)(i)(iv) (Development Standards. Protective Structures), the property owner will be required to agree with the City waiving any potential right to protection to address situations in the future in which the development is threatened with damage or destruction by coastal hazards (e.g., waves, erosion, and sea level rise). This requirement is included as a condition of approval that will need to be satisfied prior to the final building permit inspection, respectively
- 6. The property owner will also be required to acknowledge any hazards present at the site and unconditionally waive any claim to damage or liability against the decision authority, consistent with NBMC Section 21.30.015(D)(3)(c) – (Waterfront Development Standards).

This requirement is included as a condition of approval that will need to be satisfied prior to the issuance of building permits, respectively.

- 7. Pursuant to NBMC Section 21.35.050 (Water Quality and Hydrology Plan), due to the proximity of the development to the water and the development containing more than 75 percent of impervious surface area, a Water Quality Management Plan (WQMP) is required. A WQMP prepared by JT Consulting Engineers, dated January 27, 2022, has been reviewed and approved by the City's Engineer Geologist. The WQHP includes a polluted runoff and hydrologic site characterization, a sizing standard for best management practices (BMPs), use of low impact development, and treatment control approaches to retain the design storm runoff volume on-site, and documentation of the expected effectiveness of the proposed best management practices BMPs.
- 8. The project design addresses water quality with a construction erosion control plan and a post-construction drainage system that includes drainage and percolation features designed to retain dry weather runoff and minor rain event runoff on-site. Any water not retained on-site is directed to the City's storm drain system.
- 9. Proposed landscaping complies with NBMC Section 21.30.075 (Landscaping). Condition of Approval No. 20 and 21 are included that require drought-tolerant species. Prior to the issuance of building permits, the final landscape plans will be reviewed to verify invasive species are not planted and only temporary irrigation is installed within 10 feet of the bluff edge (Bluff Development Area C).
- 10. The project site is located approximately 90 feet north of Galaxy View Park, a designated public viewpoint as identified in the Coastal Land Use Plan. The viewpoint primarily offers public views to the east and southeast of Upper Newport Bay. The project will replace an existing single-family home with a new single-family home. Furthermore, the proposed residence is single-story with a maximum height of 14 feet above the existing grade. The overall structure height is approximately 10 feet lower than the allowable height for flat roofs in the R-1-6000 coastal zoning district and approximately 15 feet lower than the allowable height for sloped roofs in the R-1-6000 coastal zoning district. The single-story height ensures that the residence will be no more visible from Upper Newport Bay than the surrounding neighborhood and will not degrade the visual quality of the Coastal Zone or result in significant adverse impacts on public views.

Finding:

B. Conforms with the public access and public recreation policies of Chapter 3 of the Coastal Act if the project is located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone.

Facts in Support of Finding:

1. The project site is located between the nearest public road and the sea or shoreline. Implementation Plan Section 21.30A.040 (Determination of Public Access/Recreation Impacts) requires that the provision of public access bear a reasonable relationship between the requirement and the project's impact and be proportional to the impact. In this case, the project replaces an existing single-family residence located on a standard R-1-6000 lot with a new single-family residence. Therefore, the project does not involve a change in land use, density, or intensity that will result in increased demand for public access and recreation opportunities. Furthermore, the project is designed and sited (appropriate height, setbacks, etc.) so as not to block or impede existing public access opportunities.

2. Vertical access to the bay and beach is available at North Star Beach approximately 1,500 feet south of the project site. The project does not include any features that would obstruct access along these routes.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

- 1. The Zoning Administrator of the City of Newport Beach hereby finds this project is categorically exempt from the California Environmental Quality Act pursuant to Section 15303 under Class 3 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3 because it has no potential to have a significant effect on the environment. The exceptions to this categorical exemption under Section 15300.2 are not applicable. The project location does not impact an environmental resource of hazardous or critical concern, does not result in cumulative impacts, does not have a significant effect on the environment due to unusual circumstances, does not damage scenic resources within a state scenic highway, and is not a hazardous waste site, and is not identified as a historical resource.
- 2. The Zoning Administrator of the City of Newport Beach hereby approves Coastal Development Permit No.CD2022-013, subject to the conditions set forth in Exhibit "A," which is attached hereto and incorporated by reference.
- 3. This action shall become final and effective 14 days following the date this Resolution was adopted unless within such time an appeal or call for review is filed with the Community Development Director in accordance with the provisions of Title 21 Local Coastal Implementation Plan, of the Newport Beach Municipal Code. Final action taken by the City may be appealed to the Coastal Commission in compliance with Section 21.64.035 of the City's certified LCP and Title 14 California Code of Regulations, Sections 13111 through 13120, and Section 30603 of the Coastal Act.

PASSED, APPROVED, AND ADOPTED THIS 25TH DAY OF AUGUST, 2022.

Jaime Murillo Zoning Administrator

EXHIBIT "A"

CONDITIONS OF APPROVAL

- 1. The development shall be in substantial conformance with the approved site plan, floor plans, and building elevations stamped and dated with the date of this approval (except as modified by applicable conditions of approval).
- 2. <u>Prior to the final building permit inspection</u>, an agreement in a form approved by the City Attorney between the property owner and the City shall be executed and recorded waiving rights to the construction of future shoreline protection devices to address the threat of damage or destruction from waves, erosion, storm conditions, landslides, seismic activity, bluff retreat, sea level rise, or other natural hazards that may affect the property, or development of the property, today or in the future. The agreement shall be binding against the property owners and successors and assigns.
- 3. <u>Prior to the issuance of a building permit</u>, the property owner shall submit a notarized signed letter acknowledging all hazards present at the site, assuming the risk of injury or damage from such hazards, unconditionally waiving any claims of damage against the City from such hazards, and to indemnify and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs, and expenses (including without limitation, attorney's fees, disbursements, and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of the development.
- 4. Swimming pools shall be of double wall construction with sub drains between the walls and leak detection devices or an equivalent method in accordance with Section 21.28.040 (Bluff Overlay District) of the NBMC.
- 5. The only allowed development within Development Area C is limited to the following: drainage devices (only if not feasible to be placed elsewhere on the site), landscaping/temporary irrigation systems, on-grade public trails, on-grade public stairways, underground utilities (only if not feasible to be placed elsewhere on the site), or shoreline protective devices in compliance with NBMC Section 21.30.030(C)(3). The existing retaining wall at the rear of the property may remain pursuant to NBMC Section 21.38.040(B).
- 6. No demolition or construction materials, equipment debris, or waste, shall be placed or stored in a location that would enter the sensitive habitat, receiving waters, or a storm drains or results in impacts to environmentally sensitive habitat areas, streams, the beach, wetlands or their buffers. No demolition or construction materials shall be stored on public property.
- 7. This approval does not authorize any new or existing improvements (including landscaping) on State tidelands, public beaches, or the public right-of-way.

- 8. The applicant is responsible for compliance with the Migratory Bird Treaty Act (MBTA). In compliance with the MBTA, grading, brush removal, building demolition, tree trimming, and similar construction activities shall occur between August 16 and January 31, outside of the peak nesting period. If such activities must occur inside the peak nesting season from February 1 to August 15, compliance with the following is required to prevent the taking of native birds pursuant to MBTA:
 - A. The construction area shall be inspected for active nests. If birds are observed flying from a nest or sitting on a nest, it can be assumed that the nest is active. Construction activity within 300 feet of an active nest shall be delayed until the nest is no longer active. Continue to observe the nest until the chicks have left the nest and activity is no longer observed. When the nest is no longer active, construction activity can continue in the nest area.
 - B. It is a violation of state and federal law to kill or harm a native bird. To ensure compliance, consider hiring a biologist to assist with the survey of nesting birds, and to determine when it is safe to commence construction activities. If an active nest is found, one (1) or two (2) short follow-up surveys will be necessary to check on the nest and determine when the nest is no longer active.
- 9. Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) shall be implemented prior to and throughout construction activity as designated in the Construction Erosion Control Plan.
- 10. The discharge of any hazardous materials into storm sewer systems or receiving waters shall be prohibited. Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. A designated fueling and vehicle maintenance area with appropriate berms and protection to prevent spillage shall be provided as far away from storm drain systems or receiving waters as possible.
- 11. Debris from demolition shall be removed from work areas each day and removed from the project site within 24 hours of the completion of the project. Stockpiles and construction materials shall be covered, enclosed on all sites, not stored in contact with the soil, and located as far away as possible from drain inlets and any waterway.
- 12. Trash and debris shall be disposed of in proper trash and recycling receptacles at the end of each construction day. Solid waste, including excess concrete, shall be disposed of in adequate disposal facilities at a legal disposal site or recycled at a recycling facility.
- 13. Revisions to the approved plans may require an amendment to this Coastal Development Permit or the processing of a new coastal development permit.
- 14. The project is subject to all applicable City ordinances, policies, and standards unless specifically waived or modified by the conditions of approval.
- 15. The applicant shall comply with all federal, state, and local laws. A material violation of any of those laws in connection with the use may be cause for revocation of this Coastal Development Permit.

- 16. This Coastal Development Permit may be modified or revoked by the Zoning Administrator if determined that the proposed uses or conditions under which it is being operated or maintained are detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity or if the property is operated or maintained to constitute a public nuisance.
- 17. <u>Prior to the issuance of building permits</u>, the applicant shall submit a final construction erosion control plan. The plan shall be subject to review and approval by the Building Division.
- 18. <u>Prior to the issuance of building permits</u>, the applicant shall submit a final drainage and grading plan. The plan shall be subject to review and approval by the Building Division.
- 19. <u>Prior to issuance of a building permit</u>, a copy of the Resolution, including conditions of approval Exhibit "A" shall be incorporated into the Building Division and field sets of plans.
- 20. <u>Prior to the issuance of a building permit</u>, the applicant shall submit a final landscape and irrigation plan. These plans shall incorporate drought tolerant plantings, noninvasive plant species, and water-efficient irrigation design. The plans shall be approved by the Planning Division. Only temporary irrigation shall be installed within 10 feet of the bluff edge (Development Area C).
- 21. All landscape materials and irrigation systems shall be maintained in accordance with the approved landscape plan. All landscaped areas shall be maintained in a healthy and growing condition and shall receive regular pruning, fertilizing, mowing, and trimming. All landscaped areas shall be kept free of weeds and debris. All irrigation systems shall be kept operable, including adjustments, replacements, repairs, and cleaning as part of regular maintenance.
- 22. <u>Prior to the issuance of building permits</u>, the final WQHP/WQMP shall be reviewed and approved by the Building Division. The implementation shall comply with the approved CPPP and WQHP/WQMP and any changes could require separate review and approval by the Building Division.
- 23. Prior to the issuance of a building permit, the applicant shall pay any unpaid administrative costs associated with the processing of this application to the Planning Division.
- 24. Should the property be sold or otherwise come under different ownership, any future owners or assignees shall be notified of the conditions of this approval by the current property owner or agent.
- 25. This Coastal Development Permit No. CD2022-013 shall expire unless exercised within 24 months from the date of approval as specified in Section 21.54.060 (Time Limits and

Extensions) of the Newport Beach Municipal Code unless an extension is otherwise granted.

26. To the fullest extent permitted by law, the applicant shall indemnify, defend and hold harmless the City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs, and expenses (including without limitation, attorney's fees, disbursements, and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of Chen Residence including, but not limited to, Coastal Development Permit No. CD2022-013 (PA2022-042). This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorney's fees, and other expenses incurred in connection with such claim, action, causes of action, suit, or proceeding whether incurred by the applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify the City for all of the City's costs, attorneys' fees, and damages, which the City incurs in enforcing the indemnification provisions outlined in this condition. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.

RESOLUTION NO. ZA2022-059

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH, CALIFORNIA, APPROVING MINOR USE PERMIT NO. UP2022-016 FOR A DAY SPA LOCATED AT 1340 BISON AVENUE (PA2022-140)

THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

SECTION 1. STATEMENT OF FACTS.

- 1. An application was filed by Camelia Bennani of Biologi Spa (Applicant) with respect to property located at 1340 Bison Avenue and legally described as a portion of Parcel 1 of Parcel Map 326-48, seeking approval of a minor use permit.
- 2. The Applicant requests a minor use permit to establish a day spa within a 1,970-squarefoot tenant space in an established commercial center. The business offers various aesthetic treatments including skin care, permanent make-up, and injectables. A Minor Use Permit is required because the use is a day spa, which is classified as a Personal Services, Restricted land use.
- 3. The subject property is categorized as General Commercial (CG) by the General Plan Land Use Element and is within the Commercial sub-area of the Bonita Canyon Planned Community (PC50) Zoning District.
- 4. The subject property is not located within the coastal zone.
- 5. A public hearing was held on August 25, 2022, via Zoom. A notice of time, place, and purpose of the hearing was given in accordance with the Newport Beach Municipal Code (NBMC). Evidence, both written and oral, was presented to and considered by, the Zoning Administrator at this hearing.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

- 1. This project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 under Class 1 (Existing Facilities) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3 because it has no potential to have a significant effect on the environment.
- 2. Class 1 exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.
- 3. Project implementation will consist of limited tenant improvements and there would be no intensification of use beyond the previously existing retail use.

SECTION 3. REQUIRED FINDINGS.

In accordance with Section 20.52.020 (Conditional Use Permits and Minor Use Permits) of the NBMC, the following findings and facts in support of such findings are set forth:

Finding:

A. The use is consistent with the General Plan and any applicable specific plan;

Facts in Support of Finding:

- The proposed use is consistent with the CG (General Commercial) land use designation. The day spa will offer services to those who live, work, and visit the city. The project will allow for continued tenancy of the existing vacant commercial space and will be consistent with other previously approved service type uses located in the commercial center. The day spa will integrate well with the existing adjacent commercial uses as it will contribute to the range of services offered.
- 2. Approval of the project will allow for continued occupancy of the currently vacant tenant space in a manner consistent with other uses located in The Bluffs commercial center.
- 3. The property is not part of a specific plan area.

Finding:

B. The use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the Municipal Code.

- 1. The property is located within the Commercial Sub-Area 5 of the PC50 (Bonita Canyon Planned Community Zoning District). The land use schedule in the Planned Community does not specifically list service type uses such as a day spa or restricted personal service within the land use table. Section 2.1, General Provisions, of the Planned Community gives the "Planning Director" the authority to determine where uncertainty exists and whether the use is substantially compatible or incompatible with those land uses contained within the schedule.
- 2. In this case, the Community Development Director has determined that the proposed use is substantially compatible with other uses in the shopping center as a conditionally permitted use. Similar service uses such as a massage establishment that offers skin care treatments and related retail have previously been approved per Planning Director's Minor Use Permit No. UP2010-009 (PA2010-049) at 1334 Bison Avenue within The Bluffs Shopping Center.

- 3. The Bonita Canyon Planned Community (PC50) Zoning District Sub-Area 5 is designated to allow a broad variety of commercial uses including personal service uses such as beauty salons and barber shops. Beauty salons, nail salons, and massage services have previously been approved within this sub-area. The proposed day spa use is similar to previously approved personal service uses.
- 4. A day spa is included in the Zoning Code definition of a "Personal Services, Restricted" land use requiring a minor use permit. The services offered include injectables (Botox, Fillers) and skin tightening services, which are considered ancillary medical treatments. Ancillary medical treatments will be overseen by a medical professional and do not comprise more than 20 percent of the services offered.
- 5. The proposed tenant space was previously occupied by a retail use and conversion to a "Personal Services, Restricted" does not change parking demand. Pursuant to Table 3-10 of NBMC 20.40.040 (Off-Street Parking Requirements), personal services and general retail or office uses are parked at the same rate of one (1) space per 250 square feet of gross floor area. The existing surface parking area provides sufficient parking for existing and proposed uses.
- 6. Project implementation will consist of tenant improvements designed to comply with applicable Building Code requirements.
- 7. The operational characteristics of approval will promote compatibility with the surrounding uses. The floor plan provides six (6) separate treatment rooms for various treatments. The injectables and skin tightening treatments that are considered medical use will constitute no more than 20 percent of the offered services.
- 8. As conditioned, the proposed use will comply with all applicable provisions of the NBMC.

C. The design, location, size, and operating characteristics of the use are compatible with the allowed uses in the vicinity.

- 1. The project is located in an existing tenant space within an established commercial center. The design, size, location, and operating characteristics of the use are compatible with the surrounding development. The proposed day spa is consistent with the existing retail, restaurant, and personal service uses in the commercial center.
- 2. Based on operational characteristics, the use is not considered a medical office land use. Ancillary medical services including injectables and skin tightening treatments

constitute a small portion of the business, up to 20 percent of the overall services provided.

- 3. The proposed use will not require the provision of additional parking on-site, as discussed in Fact in Support of Finding B.4.
- 4. The design of the tenant improvements will comply with all applicable Building and Fire Codes.
- 5. As conditioned, the allowed hours of operation are from 8:00 a.m. to 6:00 p.m., daily. This will help to limit any potential late night or early morning land use conflicts with allowed uses in the vicinity. The business provides specialized, individual consultations by appointment only, and is expected to maintain compatibility with the adjacent commercial uses in The Bluffs center.

Finding:

D. The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities.

Facts in Support of Finding:

- 1. All proposed tenant improvements, with exception of signage, are limited to the inside of the existing building and will not affect pedestrian circulation, parking spaces, or access to existing tenants. Adequate public and emergency vehicle access are taken from Bison Avenue. Public services and utilities are provided on-site.
- 2. Tenant improvement plans will be reviewed prior to the issuance of building permits to ensure compliance with applicable Building and Fire Codes.

Finding:

E. Operation of the use at the location proposed would not be detrimental to the harmonious and orderly growth of the City, nor endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.

- 1. The proposed use is intended to serve residents and visitors to Newport Beach.
- 2. The business' operational characteristics are compatible with surrounding land uses in the Shopping Center, as discussed in Fact in Support of Findings B.2 and C.5.
- 3. The project includes conditions of approval to ensure that potential conflicts with the surrounding land uses and the City as a whole are minimized to the greatest extent possible. The operator is required to take reasonable steps to discourage and correct objectionable conditions that constitute a nuisance within the facility, adjacent properties, or surrounding public areas, sidewalks, or parking lots, during business hours, if directly related to the patrons of the business. Medical treatment services will be limited to 20 percent of the overall tenant space to ensure these services are ancillary to the primary day spa use of the business.
- 4. The proposal has been reviewed by the Building and Code Enforcement Divisions, Public Works, Fire, and Police Departments, and recommended conditions of approval have been included to limit any detriment to the City or general welfare of persons visiting or working in the surrounding neighborhood.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

- The Zoning Administrator of the City of Newport Beach hereby finds this project is categorically exempt from the California Environmental Quality Act pursuant to Section 15301 under Class 1 (Existing Facilitates) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3 because it has no potential to have a significant effect on the environment.
- 2. The Zoning Administrator of the City of Newport Beach hereby approves a Minor Use Permit, subject to the conditions set forth in Exhibit "A," which is attached hereto and incorporated by reference.
- 3. This action shall become final and effective 14 days following the date this Resolution was adopted unless within such time an appeal or call for review is filed with the Community Development Director in accordance with the provisions of Title 20 Planning and Zoning, of the Newport Beach Municipal Code.

PASSED, APPROVED, AND ADOPTED THIS 25TH DAY OF AUGUST, 2022.

all

Jaime Murillo Zoning Administrator

EXHIBIT "A"

CONDITIONS OF APPROVAL

(Project-specific conditions are in italics)

Planning Division

- 1. The development shall be in substantial conformance with the approved site plan and floor plans, stamped and dated with the date of this approval (except as modified by applicable conditions of approval).
- 2. The project is subject to all applicable City ordinances, policies, and standards unless specifically waived or modified by the conditions of approval.
- 3. The Applicant shall comply with all federal, state, and local laws. A material violation of any of those laws in connection with the use may be cause for revocation of this Use Permit.
- 4. The hours of operation shall be limited to between 8:00 a.m. and 8:00 p.m., daily.
- 5. Aesthetic treatment services (ancillary medical services) shall be limited to Botox injections only within 20 percent of the tenant space. Any additional services shall be reviewed by the Planning Division and may require the processing of an amendment to this Minor Use Permit or a new use permit.
- 6. The Applicant is required to obtain all applicable permits from the City's Building Division and Fire Department.
- 7. All proposed signs shall be in conformance with the approved Comprehensive Sign Program for the project site and provisions of NBMC Chapter 20.42 (Signs).
- 8. Minor Use Permit No. UP2022-016 shall expire unless exercised within 24 months from the date of approval as specified in NBMC Section 20.54.060 (Time Limits and Exceptions) unless an extension is otherwise granted.
- 9. This Use Permit may be modified or revoked by the Zoning Administrator if determined that the proposed uses or conditions under which it is being operated or maintained are detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity or if the property is operated or maintained to constitute a public nuisance.
- 10. Any change in operational characteristics, expansion in the area, or other modification to the approved plans, shall require an amendment to this Use Permit or the processing of a new Use Permit.

- 11. A copy of the Resolution, including conditions of approval Exhibit "A" shall be incorporated into the Building Division and field sets of plans prior to issuance of the building permits.
- 12. Should the property be sold or otherwise come under different ownership, any future owners or assignees shall be notified of the conditions of this approval by either the current business owner, property owner, or the leasing agent.
- 13. Trash receptacles for patrons shall be conveniently located both inside and outside of the establishment, however, not located on or within any public property or right-of-way.
- 14. The exterior of the business shall always be maintained free of litter and graffiti. The owner or operator shall provide for the daily removal of trash, litter debris, and graffiti from the premises and on all abutting sidewalks within 20 feet of the premises.
- 15. The Applicant shall ensure that the trash dumpsters and/or receptacles are maintained to control odors. This may include the provision of either fully self-contained dumpsters or periodic steam cleaning of the dumpsters if deemed necessary by the Planning Division. Cleaning and maintenance of trash dumpsters shall be done in compliance with the provisions of Title 14, including all future amendments (including Water Quality related requirements).
- 16. Deliveries and refuse collection for the facility shall be prohibited between the hours of 10:00 p.m. and 7:00 a.m. on weekdays and Saturdays and between the hours of 10:00 p.m. and 9:00 a.m. on Sundays and Federal holidays unless otherwise approved by the Director of Community Development and may require an amendment to this Use Permit.
- 17. Storage outside of the building in the front or at the rear of the property shall be prohibited, except for the required trash container enclosure.
- 18. A Special Events Permit is required for any event or promotional activity outside the normal operating characteristics of the approved use, as conditioned, or that would attract large crowds, involve the sale of alcoholic beverages, include any form of on-site media broadcast, or any other activities as specified in the Newport Beach Municipal Code to require such permits.
- 19. This approval shall expire and become void unless exercised within 24 months from the actual date of review authority approval, except where an extension of time is approved in compliance with the provisions of Title 20 Planning and Zoning of the NBMC.
- 20. To the fullest extent permitted by law, the Applicant shall indemnify, defend and hold harmless the City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs, and expenses (including without limitation, attorney's fees, disbursements, and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of **Biologi Spa** including, but not limited to, **Minor Use**

Permit No. UP2022-016 (PA2022-140). This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorney's fees, and other expenses incurred in connection with such claim, action, causes of action, suit, or proceeding whether incurred by Applicant, City, and/or the parties initiating or bringing such proceeding. The Applicant shall indemnify the City for all of the City's costs, attorneys' fees, and damages that the City incurs in enforcing the indemnification provisions outlined in this condition. The Applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.



COMMUNITY DEVELOPMENT DEPARTMENT PLANNING DIVISION 100 Civic Center Drive, P.O. Box 1768, Newport Beach, CA 92658-8915 949-644-3200 www.newportbeachca.gov

ZONING ADMINISTRATOR ACTION LETTER

Subject:	 Bristol Street Starbucks (PA2022-136) Comprehensive Sign Program No. CS2022-004
Site Location	2122 Bristol Street
Applicant	Sign Industries, Inc
Legal Description	Lot 141 of Tract 706

On <u>August 25, 2022</u>, the Zoning Administrator approved Comprehensive Sign Program No. CS2022-004, for signs at Starbucks coffee shop and drive-through located at 2122 Bristol Street. This approval is in accordance with the provisions of Chapter 20.42 (Sign Standards) of the Newport Beach Municipal Code (NBMC).

LAND USE AND ZONING

- General Plan Land Use Plan Category: CG (General Commercial)
- **Zoning District:** SP-7 (Santa Ana Heights Specific Plan), General Commercial land use designation

SUMMARY

The following sign types are proposed under the comprehensive sign program:

- Four (4) wall-mounted signs: two (2) tenant logo signs, a drive-through identification sign, and a tenant name sign (Sign Types A, B, and C)
- One (1) existing freestanding pylon sign (Sign Type J)
- Three (3) ground-mounted digital menu board signs with one (1) fixed canopy above the main menu board (Sign Types G, H1, H2, and I)
- Three (3) vehicle-oriented directional signs (Sign Types D, E, and K)
- One (1) clearance bar at the entrance to the drive-through (Sign Type F)
- One (1) address sign along the Bristol Street frontage (Sign Type L)

Pursuant to <u>Section 20.42.120 (Comprehensive Sign Program</u>) of the NBMC, a comprehensive sign program is required whenever three (3) or more non-exempt signs are proposed for a single-tenant development. Under the Comprehensive Sign Program,

deviations are allowed assigning sign area, total number, location, and/or height of signs. In this case, the deviations from the Zoning Code include the following:

- 1. Less than 30 feet of separation between wall signs (Sign Types A, B, and C) on adjacent frontage, as measured along the exterior walls of the building;
- 2. Signs that are not placed within the middle 50 percent of the building frontage;
- 3. An existing pylon sign with nonconforming proportional dimensions.

This approval is based on the following findings and standards and subject to the following conditions:

FINDINGS AND STANDARDS FOR APPROVED SIGNS

Finding

A. The project is exempt from environmental review under the requirements of the California Environmental Quality Act pursuant to Section 15311, Class 11 (Accessory Structures).

Fact in Support of Finding:

1. Class 11 exempts minor structures accessory to existing commercial facilities, including signs. The proposed signs are incidental and accessory to the principal commercial use of the property and do not intensify or alter the use.

Standard

B. The proposed sign program shall comply with the purpose and intent of this Chapter [Chapter 20.42], any adopted sign design guidelines, and the overall purpose and intent of this Section [Section 20.42.120 – Comprehensive Sign Program].

Facts in Support of Standard

- 1. The purpose of a comprehensive sign program is to integrate all signage within a project site. A comprehensive sign program also provides means for the flexible application of sign regulations for projects that reasonably require multiple signs. The font, colors, and materials of all proposed signage are coordinated to complement both the architecture of the building and the colors used by the restaurant chain.
- 2. The proposed Comprehensive Sign Program complies with the purpose and intent of Newport Beach Municipal Code <u>Chapter 20.42 (Sign Standards)</u> because it provides the building tenant with adequate identification. It preserves and enhances the community appearance by regulating the type, size, location, quantity, and the illumination of signs through conditions of approval and conformance with approved

plans. Through these regulations, the Comprehensive Sign Program will enhance the safety of motorists and pedestrians by minimizing the distraction of signs as well as protecting the life, health, property, and general welfare of City residents and visitors.

- 3. The project site at 2122 Bristol Street was previously developed as a fast-food restaurant. Through a tenant improvement process, it will now serve as a Starbucks coffee shop with an updated building façade to accommodate the new tenant and the renovated building will create a more contemporary style. The proposed signage is appropriately placed along the west, east, and south frontages and appropriately sized to relate to the architectural features of the building. The sign style is consistent with the contemporary style of the renovated building with primary signage placement at each visible façade for easy building identification.
- 4. The project site is a drive-through coffee shop accessed from a higher-speed roadway. To help ensure site circulation is efficient and does not create an unsafe condition, the drive-through operation requires multiple low, freestanding signs to direct traffic to and through the drive-through and parking lot and menu boards to inform the motorist of the establishment's product selection, as well as provide an apparatus with which to order. These signs are intended to be used only by motorists and are not intended to draw attention to the business or provide additional business identification.
- 5. The requested wall sign separation distance of fewer than 30 feet results in appropriate sign placement on each of the respective building frontages. Sign Type A is a primary frontage logo wall sign, in which the location is appropriately placed to be a visible identification sign for vehicular traffic traveling along Bristol Street and Birch Street. If the sign was located away further toward the center of each building frontage, the sign placement would not follow the articulation of the building façade on the taller tower feature.
- 6. Sign Type C is a vehicle-oriented wall sign, which serves as a directional sign for vehicles to access the drive-through entry along Birch Street. The wall sign location is tasteful and does not overcrowd the building frontage; this wall sign located on the right side of the façade serves practicality and is necessary to direct customers to a drive-through. The proposed wall signs comply with the height and area regulations for permanent signs identified in Table 3-16 of Section 20.42.070 (Standards for Permanent Signs) of the NBMC.
- 7. The existing, illuminated pylon sign at the Bristol Street frontage is also nonconforming due to its proportional dimensions. The sign is proposed to be refaced and kept in the existing location along the Bristol Street frontage. No alterations that would worsen the sign's existing nonconformities are proposed. The existing pylon sign provides site identification like other fast-food restaurants in the area and is therefore consistent with the character of the neighborhood, despite its nonconforming status.
- 8. The requested increase in the number of signs and placement is consistent with the proportions of the façades and street frontages on which they are located. The Program also includes three (3) ground-mounted digital menu board signs for motorists

to order from while in the drive-through. It is common practice for menu board signs for a drive-through establishment. The copy will not be visible from the road, which is the intent of the standard.

9. The Comprehensive Sign Program is consistent with the Citywide Sign Design Guidelines because the proposed signs are designed to be compatible with the building design in terms of scale, size, and materials. The proposed signs are designed to effectively communicate a commercial message without creating sign clutter by providing adequate and appropriate site identification similar in design style.

<u>Standard</u>

C. The proposed signs shall enhance the overall development, be in harmony with and relate visually to other signs included in the Comprehensive Sign Program, to the structures and/or developments they identify, and to surrounding development when applicable.

Facts in Support of Standard

- 1. The project site is rectangular in shape and developed with a new coffee shop with a drive-through and parking lot to serve the use. The project site is accessed from Birch Street and Bristol Street and is located within the General Commercial land use designation of the Santa Ana Heights Specific Plan, which is an area of Newport Beach with many fast-food establishments and accompanying signage similar to the proposed signage of this Program. The Program has been designed to provide adequate identification of the business and harmonious operation of the business without signage being overly attention-grabbing and without allowing the unnecessary proliferation of signage.
- 2. All project signage has been designed to use a consistent color pallet. Illuminated signs feature acrylic opaque material for the face and are not excessively illuminated. Section 20.42.060 (Provisions Applying to All Sign Types) allows the Community Development Director to dim the illumination if the signs prove to be detrimental to the surrounding uses.
- 3. As required by Condition of Approval No. 8, the speakers for the drive-through menu boards (G, H2, and I) shall be equipped with automatic volume control (AVC) and shall be equipped with automatic brightness control to automatically adjust the brightness level in connection with the brightness of the sun. The menu board shall turn off during closing hours to help ensure compatibility with the surrounding residential neighborhood.
- 4. The proposed locations for project signage are appropriate and take into consideration the architecture of the building. Wall signs are placed on either side of a tower facing Birch Street and Bristol Street, centered above the main entrance to the establishment, and at the corner of the building closest to the drive-through entrance.

<u>Standard</u>

D. The sign program shall address all signs, including permanent, temporary, and exempt signs.

Facts in Support of Standard

1. The Comprehensive Sign Program addresses all project signage. Temporary and exempt signs not specifically addressed in the sign program shall be regulated by the provisions of Newport Beach Municipal Code Chapter 20.42 (Sign Standards).

Standard

E. The sign program shall accommodate future revisions that may be required because of changes in use or tenants.

Facts in Support of Standard

1. The project site is developed with one (1) building with one (1) fast-food operator (Starbucks). The Program provides adequate identification of the business from Birch Street and Bristol Street and the necessary operational signage to support the business. Future operators at the project site should be able to utilize the sign program without substantial change to the Program. However, flexibility has been incorporated into the Sign Program Matrix to allow minor deviations from the proposed signs. Consistent with Chapter 20.42, the Director may approve minor revisions to the Sign Program if the intent of the original approval is not affected.

Standard

F. The program shall comply with the standards of this Chapter [Chapter 20.42], except those deviations are allowed with regard to signing area, total number, location, and/or height of signs to the extent that the Comprehensive Sign Program will enhance the overall development and will more fully accomplish the purposes and intent of this Chapter [Chapter 20.42].

Facts in Support of Standard

- 1. This approval includes deviations in the number, location, and freestanding sign proportions of signage and conforms to all other standards of <u>Chapter 20.42 (Sign Standards)</u> of the NBMC, and enhances the overall development by integrating all of the project's signs with the overall site and architectural design through appropriate sizing and style.
- 2. Allowing a deviation from the Zoning Code for the number and location of signs is appropriate given the orientation of the building with two (2) street frontages, an onsite parking lot, and a drive-through.

- 3. Illumination is appropriate for signs on the north and west building frontages to improve visibility for motorists along Birch Street and Bristol Street. Residential properties will not be unduly impacted by illumination.
- 4. The increased number and placement of signs are appropriate and consistent with the proportions of the façades and street frontages on which they are located.
- 5. Facts 5, 6, and 7 in Support of Finding B are hereby incorporated by reference.

Standard

G. The approval of a Comprehensive Sign Program shall not authorize the use of signs prohibited by this Chapter [Chapter 20.42].

Fact in Support of Standard

 The Comprehensive Sign program does not authorize the use of prohibited signs. One (1) existing nonconforming pylon sign (Sign Type J) is proposed to be refaced and kept in the same location along the Bristol Street frontage. The existing pylon sign will not be structurally changed, altered, or expanded in a manner that would increase its nonconforming nature.

Standard

H. Review and approval of a Comprehensive Sign Program shall not consider the signs' proposed message content.

Fact in Support of Standard

1. The Comprehensive Sign Program contains no regulations affecting sign message content.

CONDITIONS

- 1. The development shall be in substantial conformance with the approved site plan, details, and elevations, except as noted in the following conditions.
- 2. Upon demolition or substantial structural and nonstructural changes to the exterior of the development on which this approval is based, this Program shall be rendered nullified, and a new comprehensive sign program shall be obtained in accordance with the zoning code provisions in effect at the time the new development is approved.
- 3. Locations of the signs are limited to the designated height, location, and areas and shall comply with the limitations specified in the Sign Program Matrix included in Attachment No. ZA 2.

- 4. A building permit shall be obtained prior to the commencement of the construction and/or installation of the signs.
- 5. The drive-through order speaker shall be equipped with automatic volume control (AVC) and the drive-through menu boards (Sign Types G, H2, and I) shall be equipped with automatic brightness control to automatically adjust to the brightness level in connection with the brightness of the sun as described in the February 8, 2022, letter from CAA Planning. The menu board shall turn off during closing hours.
- 6. The menu boards (Sign Types G, H2, and I) shall not utilize a "slideshow" format. Content shall be unanimated and unmoving, except for Sign Type H2, on which content directly related to customer order details may utilize changeable copy.
- 7. Illuminated signs shall be regulated in accordance with the provisions of <u>Section</u> 20.42.070 (Standards for Permanent Signs) of the NBMC. I in the opinion of the Community Development Director, existing illumination creates an unacceptable negative impact on surrounding land uses or sensitive habitat areas, the Director may order the dimming of light sources or other remediation upon finding that the site is excessively illuminated.
- 8. Signs shall be maintained in a clean and orderly condition. Signs in disrepair shall be repaired, replaced, or removed in a timely fashion or at the direction of the Community Development Director. All signs shall be maintained in accordance with Section 20.42.170 (Maintenance Requirements) of the NBMC.
- 9. Temporary and exempt signs not specifically addressed in the program shall be regulated by the provisions of Chapter 20.42 of the NBMC.
- 10. In accordance with Section 20.42.120(F) of the NBMC, the Community Development Director may approve minor revisions to the Program if the intent of the original approval is not affected. This may include deviations in the tenant configurations, such as combining or dividing suites.
- 11. Any future revisions or changes to the signs approved by this Comprehensive Sign Program due to a change in the use or tenants of the building shall be reviewed and approved by the Planning Division, so long as the sign size, copy configuration, and the number of signs authorized by this approval does not substantially change or increase. The mandatory reduction or elimination of signs shall be exercised as necessary.
- 12. The Zoning Administrator may add to or modify conditions of this approval or revoke this approval upon a determination that any sign that is authorized by this approval has been altered beyond the parameters of the authorization and therefore beyond the justification.

- 13. A copy of the approval action letter, including conditions of approval and sign matrix, shall be incorporated into the City and field sets of plans prior to issuance of the building permits for the freestanding signs, and the initial wall sign installations to identify this approval as the authority for location, size, and placement.
- 14. To the fullest extent permitted by law, the applicant shall indemnify, defend and hold harmless the City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs, and expenses (including without limitation, attorney's fees, disbursements, and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of the Bristol Street Starbucks including, but not limited to Comprehensive Sign Program No. CS2022-004 (PA2022-136) and the determination that the project is exempt from the requirements of the California Environmental Quality Act. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorney's fees, and other expenses incurred in connection with such claim, action, causes of action, suit, or proceeding whether incurred by the applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify the City for all of the City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth in this condition. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.

APPEAL PERIOD: An appeal or call for review may be filed with the Director of Community Development or City Clerk, as applicable, within fourteen (14) days following the date the action or decision was rendered. For additional information on filing an appeal, contact the Planning Division at 949-644-3200.

Prepared by:

Caitlyn Curley C Planning Technician Approved by:

Jaime Murillo Zoning Administrator

MKN/cnc Attachments:

ZA No. 1 Vicinity Map ZA No. 2 Comprehensive Sign Program Matrix ZA No. 3 Project Plans

Attachment No. ZA 1

Vicinity Map

VICINITY MAP



Comprehensive Sign Program No. CS2022-004 (PA2022-136)

2122 Bristol Street

Attachment No. ZA 2

Comprehensive Sign Program Matrix

Bristol Street Starbucks Sign Program

2122 Bristol Street

Comprehensive Sign Program Matrix No. CS2022-004 (PA2022-136)

Frontages:

Primary Frontage:

a) Birch Street (Northwest)

Secondary Frontages:

b) Bristol Street (Northeast)

c) Interior property lines (Southwest and southeast)

Sign Type		Frontage Dimensions		Other Specifications	
Sign Type A	Logo Wall Sign	Primary and Secondary – Birch Street and Bristol Street	Maximum Number: 2 Maximum Sign Area: 16 sq. ft. Maximum Letter/Logo Height: 48"	 Circular Business Logo Only the logo area is illuminated 	
Sign Type B	Tenant Name Wall Sign	Primary – Birch Street	Maximum Number: 1 Maximum Sign Area: 10 sq. ft. Maximum Letter/Logo Height: 12"		

Sign Type C	Vehicle-oriented Wall/Cabinet Sign	Primary – Birch Street	Maximum Number: 1 Maximum Sign Area: 7 sq. ft. Maximum Cabinet Dimensions: 1'-9" x 4'"	-	Only text/logo areas are illuminated
Sign Type D	Vehicle-oriented directional sign	Primary – Birch Street	Maximum Number: 1 Maximum Sign Area: 4 sq. ft. Maximum Cabinet Dimensions: 1'-3" x 2'- 7"	-	Only text/logo areas are illuminated
Sign Type F	Clearance Bar	Primary – Birch Street	Maximum Number: 1 Maximum Sign Area: 3 sq. ft. Maximum Cabinet Dimensions: 5" x 5'-6"	-	Only text/logo areas are illuminated
Sign Type G	Ground- mounted menu board (pre- menu board)	Secondary – interior property lines	Maximum Number: 1 Maximum Sign Area: 9 sq. ft. Maximum Cabinet Dimensions: 3'-6" x 2'- 6"		Equipped with automatic brightness and volume control. Board will not utilize a "slideshow" format for content. Content shall be unanimated and unmoving. Dimensions do not include structural components of the board.
Sign Type H1	Canopy (drive- through)	Primary – Birch Street	Maximum Number: 1 Maximum Canopy Height: 10'-4"		

Sign Type H2	Ground- mounted menu	Secondary – interior	Maximum Number: 1	- Equipped with automatic brightness and volume control.
	board (order screen)	property lines	Maximum Sign Area: 14 sq. ft.	 Board will not utilize a "slideshow" format for content. Board will not utilize a
			Maximum Board Dimensions: 4'-2" x 3'-2"	"slideshow" format for content. Product content shall be unanimated and unmoving. Does not include elements directly related to customer order details.
				- Dimensions do not include structural components of the board.
Sign Type I	Ground- mounted menu	Secondary – interior	Maximum Number: 1	 Equipped with automatic brightness and volume control.
	board (main menu board)	property lines	Maximum Sign Area: 29 sq. ft.	- Board will not utilize a "slideshow" format for content. Content shall be unanimated
	,		Maximum Board Dimensions: 3'-7" x 7'- 11"	and unmoving. Dimensions do not include structural
				components of the board.
Sign Type J	Existing Pylon Sign	Secondary – Bristol Street	Maximum Number: 1	- Only text/logo areas are illuminated
	5		Maximum Logo Area: 51 sq. ft.	
			Maximum Panel Dimensions: 6 sq. ft.	
			Maximum /Logo Height: 8'	
			Maximum Panel Dimensions: 1'x6'	
Sign Type K	Vehicle-oriented directional sign	Secondary – Bristol Street	Maximum Number: 1	
			Maximum Sign Area: 4 sq. ft.	
			Maximum Sign Dimensions: 2' x 2'	
Sign Type L	Existing Address	Secondary – Bristol Street	Maximum Number: 1	
	Numbers		Maximum Sign Area: 2 sq. ft.	
			Maximum Number Hight: 8"	

Notes/Requirements: a) Sign locations shall be as depicted on approved plans.

b) Requirements for all signs per Newport Beach Municipal Code (NBMC) Chapter 20.42 (Sign Standards), except as provided in this sign matrix. c) Sign Designs shall be consistent with Citywide Sign Design Guidelines Manual.

d) Pursuant to NBMC Section 20.42.120(F), the Community Development Director may approve minor revisions to this approval if the intent of the original approval is not affected.

e) Cabinet signs shall be designed such that the background is opaque and the only portion of the sign that appears as illuminated is the actual lettering and/or registered trademark or logo.

Attachment No. ZA 3

Project Plans





CONSTRUCTION NOTES:

A. ALL WORK TO COMPLY WITH 2019 CA BUILDING CODES AND 2019 CALIFORNIA EFFICIENCY STANDARDS FOR SIGN LIGHTING.

B. A 20 AMP DEDICATED CIRCUIT FOR SIGNAGE WITH ASTRONOMICAL TIME CLOCK CONTROL SHALL BE PROVIDED.

C. SIGN INSTALLER SHALL IDENTIFY SIGN CIRCUIT BREAKER AND UPDATE PANEL DIRECTORY



PROJECT: # 93058-001 STORE # 67355 BRISTOL & BIRCH STARBUCKS COFFEE 2122 BRISTOL ST,

NEWPORT BEACH, CA 92660



VICINITY MAP Not To Scale

SIGN ID	SIGN TYPE	QTY	DIMENSIONS	ILLUMINATED	SIG
A	48" SIREN LOGO DISC	2	48" DIAM	YES	16
В	12" CHANNEL LETTERS	1	1' X 9'-8"	YES	10
С	48" DT ILLUM. CABINET	1	1'-9" X 3'-11 3/4"	YES	7
D	DRIVE THRU DIRECTIONAL	1	1'-3" X 2'-7"	YES	3.2

F	CLEARANCE BAR	1	5" X 5'-6"	NO	2.3 SQ FT.
G	PRE MENU SIGN	1	3'-5 3/8" X 2'-5 1/8"	YES	8.3 SQ FT.
Ð	DRIVE THRU CANOPY	1	10'-3 7/8" X 4'-6"	NO	N/A
E	DRIVE THRU ORDER SCREEN	1	4'-1 3/4" X 3'-1 1/2"	YES	13 SQ FT
	MENU BOARD	1	3'-6 3/4" X 7'-10 1/2"	YES	28.06 SQ FT
J	EXISTING PYLON SIGN	1	8FT DIAM/ 1'X6 PANEL	YES	70 SQ FT
К	R5-1 POST AND PANEL SIGN	1	2'-0" X 2'-0"	NO	4 SQ FT
C	EXISTING ADDRESS NUMBERS	1	8" X 21"	NO	1.2 FT

Luis Soria / Sign cad drafter date: 08/23/22 cell:909 996 9598



IGN AREA 16 SQ FT. 10 SQ FT. 7 SQ FT. 3.2 SQ FT.



Comprehensive Sign Program Matrix Worksheet

Community Development Department Planning Division 100 Civic Center Drive / P.O. Box 1768 / Newport Beach, CA 92658-8915 949-644-3204 www.newportbeachca.gov

Please Designate:

Street Frontage/parking lot frontage 1. Frontages:

D

A 74 FT PRIMARY FRONTAGE - FACING BIRCH ST B 37 FT PRIMARY FRONTAGE - BRISTOL ST С

2. In the table below designate frontages for each tenant space, as primary or secondary (street, parking lot, building elevation, other) and designate maximum number of signs per tenant.

3. Area limitations, maximum vertical or horizontal dimensions, and maximum logo area or vertical or horizontal dimensions per sign.

4. Project identification signs, wall, monument or pylon with area and vertical and horizontal dimensions.
--

	uon signs, waii, monument or pyion with a	
Site and Suite No. or	Primary Frontage	Secondary Frontage
Building Address	Size limitations where applicable	Size limitations, where applicable
Assign as necessary		
Insert Suite No. Here	Choose a Frontage: A B C D	Choose a Frontage: A B C D
	1.5 square feet/linear foot of store	50% of allowable primary sign allowance
	frontage or max area of <u>111</u> sq ft.	55.5 sq ft. maximum.
2122 Bristol St.	Maximum vertical dimension, sign or	Maximum vertical dimension, sign or
	logos, 48 -inches. Minimum distance	logos, <u>48</u> in. Minimum distance shall be
	shall be 21'-4"linear feet from the	N/A linear feet from the primary sign.
	secondary sign.	
Insert Suite No. Here	Choose a Frontage: A B C D	Choose a Frontage: A B C D
	1.5 square feet/linear foot of store	50% of allowable primary sign allowance
	frontage or max area of sq ft.	sq ft. maximum.
	Maximum vertical dimension, sign or	Maximum vertical dimension, sign or
	logos,inches. Minimum distance	logos, in. Minimum distance shall be
	shall be linear feet from the	linear feet from the primary sign.
	secondary sign.	
Second Floor	Choose a Frontage: A B C D	Choose a Frontage: A B C D
Office Suites	Signs proposed or NONE permitted?	Signs proposed or NONE permitted?
Project Identification	Choose a Frontage: A B C D	Choose a Frontage: A B C D
Signs (Wall, Pylon or	Maximum vertical dimension, sign or	50% of allowable primary sign allowance
Monument)	logos, in. Minimum distance shall	sq ft. maximum.
,	be linear feet from the secondary	Maximum vertical dimension, sign or
List sign location and/or	sign.	logos, in. Minimum distance shall be
frontages proposed and	0	linear feet from the primary sign.
number per frontage.		
Specify maximum vertical		
and horizontal		
dimensions and sign area		
Address sign location	Choose a Frontage: A B C D	Choose a Frontage: A B C D
(monument, etc)	Maximum vertical and horizontal	Maximum vertical and horizontal
	dimensions and sign face area.	dimensions and sign face area.
Other Signage		
(awning, blade, etc)		



Comprehensive Sign Program Matrix Worksheet

Community Development Department Planning Division 100 Civic Center Drive / P.O. Box 1768 / Newport Beach, CA 92658-8915 949-644-3204 www.newportbeachca.gov

Please Designate and fill in the table below: 1.

b b b b b b b b b b b b b b b b b b b	
Street Fronta	age/parking lot frontage
Frontages:	A 74 FT PRIMARY FRONTAGE - FACING BIRCH ST
_	B 37 FT PRIMARY FRONTAGE - BRISTOL ST
	С
	D
	pelow designate frontages for each tenant space, as p

2. lot, building elevation, other) and designate maximum number of signs per tenant.

Area limitations, maximum vertical or horizontal dimensions, and maximum logo area or vertical or 3. horizontal dimensions per sign.

Project identification signs, wall, monument or pylon with area and vertical and horizontal dimensions. 4.

Site and Suite No. or Building Address Assign as necessary	Primary Frontage Size limitations where applicable	Secondary Size limita
2122 Bristol St.	111 sq ft max of total sign area allowed 48in max height, 21'-4" minimum distance between signs	55.5 sq ft o 48" in max
Other Signage (awning, blade, etc)		

Project:

primary or secondary (street, parking

ry Frontage ations, where applicable

of total sign area allowed k height

\\cnb.lcl\data\Users\CDD\Shared\Admin\Planning_Division\Applications\CS\Info&Matrix.docx Updated 02/18/2021



Location: 2122 BRISTOL ST. NEWPORT BEACH, CA 92660

Client Approval:

Date of Approval:

Sales Rep: Paul L.

Date: 03-26-	Drawn by: 22 L.S.	
$\hat{\Lambda}$	08-19-22	L.S.
8	08-23-22	L.S.
3	06-01-22	L.S.
4	06-13-22	L.S.
5	08-02-22	L.S.
6	08-18-22	L.S.

Electrical Requirement: 120 Volts

277 Volts



Luis Soria / Sign cad drafter date: 08/23/22



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BIRCH ST



KEY LEGEND

A 48" SIREN LOGO DISC **B** 12" CHANNEL LETTERS C 48" DT ILLUM. CABINET D D/T DIRECTIONAL **F** CLEARANCE BAR G PRE MENU BOARD (H) ORDER SCREEN CANOPY H.2 DIGITAL ORDER SCREEN DT 5 PANEL MENU SIGN **EXISTING** PYLON SIGN K R5-1 POST AND PANEL **EXISTING** ADDRESS NUMBERS

BRISTOL

ST





Location: 2122 BRISTOL ST, NEWPORT BEACH, CA 92660

Client Approval:

Date of Approval:

Sales Rep: Paul L.

Date:	
03-26-22	

03-26-	-22 L.S.	
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<u>/</u> 5	08-02-22	L.S.
6	08-18-22	L.S.

Drawn by:

Electrical Requirement:

277 Volts



Luis Soria / Sign cad drafter date: 08/23/22



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NORTHWEST ELEVATION - FACING BIRCH STREET

SCALE: 1/8" = 1' - 0"

1



KEY LEGEND







Location: 2122 BRISTOL ST, NEWPORT BEACH, CA 92660

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Date of Approval:

Sales Rep: Paul L.

Date: 03-26	Date: Drawn by: 03-26-22 L.S.			
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Electrical Requirement:

277 Volts



Luis Soria / Sign cad drafter date: 08/23/22



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Page: ELEV.1



EXISTING ADDRESS NUMBERS TO BE REPAINTED BLACK



SOUTHWEST ELEVATION - FACING PARKING LOT

SCALE: 1/8" = 1' - 0"

1

2



Project:



Location: 2122 BRISTOL ST, NEWPORT BEACH, CA 92660

Client Approval:

Date of Approval:

Sales Rep: Paul L

i dui L.				
Date: 03-26	Drawn by: -22 L.S.			
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Electrical Requirement:

277 Volts



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Page: **ELEV.2**

S/F EXTERIOR TRIMLESS FLEX FACE SIREN WALL SIGN





COLOR LEGEND				
\ge	PMS/PAINT	VINYL		
	PMS 3425 C	3M 3630-126		
	SATIN BLACK	NA		
	PMS WHITE	NA		

Wood Framed Wall/Stucco finish

Siren Detail

REQUIREMENTS FOR ELECTRICAL ILLUMINATION:

PRIMARY ELECTRICAL TO SIGN LOCATIONS TO BE PROVIDED BY OTHERS. A DEDICATED CIRCUIT WITH NO SHARED NEUTRALS AND A GROUND RETURNING TO THE PANEL IS REQUIRED FOR INSTALLATION.

120 Volts



Excellart EC-Flex Standard with Bleed Trim Cover



Underwriters Laboratories Inc.



Project:



Location: 2122 BRISTOL ST. NEWPORT BEACH, CA 92660

Client Approval:

Date of Approval:

Sales Rep Paul L.

Date: 03-26-	Drawn by: -22 L.S.	,	
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6	08-18-22	L.S.	

Electrical Requirement

277 Volts



Luis Soria / Sign cad drafter date: 08/23/22



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Page: **1.0**



TRIMLESS DAY/NITE CHANNEL LETTERS - REMOTE

QTY - 1



Project:



Location: 2122 BRISTOL ST. NEWPORT BEACH, CA 92660

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Sales Rep Doul I

Paul L.				
Date: 03-26	Drawn by: -22 L.S.			
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Electrical Requirement

120 Volts

277 Volts



Luis Soria / Sign cad drafter date: 08/23/22



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Page: 2.0









Sign Specifications:

Project:



Location: 2122 BRISTOL ST. NEWPORT BEACH, CA 92660

Client Approval:

Date of Approval:

Sales Rep Paul L

T ddi E.			
Date: 03-26	Drawn by: -22 L.S.		
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Electrical Requirement:



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Drawing No 22-117



Page: 3.0



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This drawing is a Design Development Document. Site specific modifications made under the responsible charge of the Architect and/or Engineer-of-Record will be required prior to using this document for Bidding, Permitting, or Construction.

olts	Amps
20	0.85

120 Volts



Vertical Cross-Section View, Typ.

Service Position View

Design ID#14104



Project:

• Fabricated .090" [2mm] aluminum housing painted black to match

Directional copy and chevrons backed up with .125" [3mm] #7328 white polycarbonate. Siren logo is 6" [152mm] diameter, 3/8" [10mm] clear polycarbonate routed to push thru aluminum face. Decorate logo with 1st surface computer cut vinyl film to match PMS 3425 and 3735-50 diffuser film underneath green vinyl. Edges of push thru logo are to be clear polished. All polycarbonate face elements to be attached to aluminum face panel with weld studs. Interior aluminum surfaces of sign cabinet to be painted white with

Welded aluminum construction with no visible fasteners. Fasteners retaining the hinged face will be located on the bottom such that they are not visible. All fasteners used in the assembly of internal

· Internal structure of cabinet shall be per approved shop drawings. Internally illuminated logo disc with Sloan Prism Enlighten white 6500k, laid out at 1.5 modules per foot, 7" on center

with self-contained power supply with U.L approved enclosure.

 Supporting structure will be all welded aluminum tube and channel construction painted black to match RAL 7021M as per approved shop drawings and shall be integral to the sign cabinet.

existing sign foundations. All foundations, existing and new must be analyzed for suitability and must meet all local city or state

Sign must meet all regulations in the National Electric Code as well

As per NEC 600.6, sign is equipped with a service disconnect

• Sign must be listed as an Electric Sign per Underwriters

Laboratories UL48 and/or CSA and bear the appropriate UL, CUL



PRIMARY ELECTRICAL TO SIGN LOCATIONS TO BE PROVIDED BY OTHERS. A DEDICATED CIRCUIT WITH NO SHARED NEUTRALS AND A GROUND RETURNING TO THE PANEL IS REQUIRED FOR INSTALLATION.

- GROUND WIRE MUST BE CONTINUOUS AND GO FROM THE SIGN TO THE PANELBOARD GROUND BUS.

-SIGN CIRCUIT MUST BE ON A LIGHTING CONTROL PANEL, ASTRONOMICAL TIME CLOCK OR PHOTO CELL ALONG

- POWER TO SIGN MUST BE DONE BY A LICENSED ELECTRICIAN OR ELECTRICAL CONTRACTOR. rdance with the re des proper grounding and bonding of the si

Location: 2122 BRISTOL ST. NEWPORT BEACH, CA 92660

Client Approval:

Date of Approval:

Sales Rep: Paul L.

Date: 03-26-	Drawn by: -22 L.S.	
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6	08-18-22	L.S.

Electrical Requirement

120 Volts

277 Volts



Luis Soria / Sign cad drafter date: 08/23/22



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Page: 5.0



	-ft	ω:	1.3	IBC 1605.3.2
	tips			
		207.37	psf	IBC 1806.1
		1068.00		&1806.3.4
		0.95	ft	IBC 1807.3.2 1
(1+(4.36	hA))	2.30	ft	

Nominal Yield Mome	nt	
Mnp=Fy*Z:	1,46	k-in
фь.	0.9	
фьМпр:	1.32	k-in
Demand/Capacity:	0.37	OKAY
Nominal Yield Mome Mnp=Fy*Z:	202	k-in
du	0.9	K-10
φ _b M _{np} :	2.11	k-in
Demand/Capacity:	0.23	OKAY

J.					
61-00	SHEET:	1	OF	1	



Location: 2122 BRISTOL ST. NEWPORT BEACH, CA 92660

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Sales Rep Paul L

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277 Volts



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Page: 5.1







Location: 2122 BRISTOL ST, NEWPORT BEACH, CA 92660

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Paul L.				
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Electrical Requirement:

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Page: **7.0**

ITEM NO.	PART #	DESCRIPTION	FINISH	Defau It/QTY.
1	219-022-00015	SBUX REVO CB BOTTOM HALF_POWDERED BLACK	PSB6865 BLACKBOARD	1
2	219-022-00035	SBUX REVO CB TOP HALF_POWDERED BLACK	PSB6865 BLACKBOARD	1
3	219-024-0004S	SBUX REVO CB PLACARD W/ LETTERING	PMS 560C GREEN	1
4	219-012-0130	REVO CB BASE COVER FRONT	PSB6865 BLACKBOARD	1
5	219-012-0140	REVO CB BASE COVER REAR	PSB6865 BLACKBOARD	1
6	3467115	WIRE ROPE ASSY		2
7	219-030-0150	18-8 Stainless Steel SAE Washer, Black- Oxide, 1-1/2" Screw Size, 1.625" ID, 3" OD	BLACK OXIDE	1
8	219-000-0160	Chemical-Resistant PTFE Plastic Washer for 1-1/2" Screw Size, 1.562" ID, 2.5" OD,.115"- .135" Thick	RAW	1
9	219-020-0170	Zinc Yellow-Chromate Plated Hex Head Screw, Grade 8 Steel, 1"-8 Thread Size, 2- 1/2" Long	CHROMATE	1
10	219-030-0180	Black-Oxide 18-8 Stainless Steel Washer, Oversized, 1" Screw Size, 1.062" ID, 3" OD	BLACK OXIDE	1





Location: 2122 BRISTOL ST, NEWPORT BEACH, CA 92660

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Faul L.				
Date: 03-26-	Drawn by: -22 L.S.			
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Drawing No 22-117



Page: **7.1**





7-16:							
*G*C/*A				q _t = 0.00	256*K _s *K _a *	Kd*K*V ²	
Categor Speed			150	moh ner	ATC Counc	á l	
	ac. (Ka):		0.85	(Table 26			
sure Category:		C					
Fac. (K _{it}):		1		inusual terr	ain)		
nd Elev. Effect F		2	1	(for all e	levation)		
ight of affected area)		0.42	ft				
ight)	# 12 1 1 1 1 1	-	10.25	ft			
dth of a	ffected area)	s/h=	5.5	ft		-	
		8/s=	13.10				
	ient (C _f): isure exposure coef	Rolant (K.)	1.9	-			
/h=1, ac		ncient (NJ.	ASCE fig. 2	(Table 29 9.4-1 then		1.0	
ht at	(Table 26.10-1)	q:	q:*G*Cr	Ar	Shear Wi	nd Moment	
c.g. ft	K ₂ factor	psf	psf	ft ²	lb	lb-ft	
1	0.85	41.62	67.21	0.3	20	2	
33 29	0.85	41.62	67.21 67.21	3.42	230 202	1225 2075	
29	- day	41.62	67.21	2.3	155	1591	
				9	606	4893	
				. 1			
			9 ft 67.21 p			4.9 K-ft 0.6 kips	
				N. M.S.			
14 h/	(= 14.2 → 14.2						
	2.6						
	3	ksi (E3-4)					
N.							
	ji -	Gove					
	Eq. 2	8.28		(3-2) (3-3)			
ge: b/		< 1.12V(E/F			Section is Co	mpact	
b/		< 1.40V(E/F			Try other		
c h∕		< 2.42V(E/F			Section is Co	mpact	
h/	t= 14.2	< 5.70V(E/F		43 False, RFD φ=0.5	Try other		-
	Pn=FcrAg			PPCA		31.06 kips	(E3-1)
5	Mn=Mp=FyS Mn=Mp=FyZ			фМе: фМе:		14.35 k-ft 17.10 k-ft	177-11
	Choose Size (Z):		4.96 in	3 OKAY	().	0.29	
HING							
89 k-f		2.94	k-ft	ω:	1.3)	8C 1605.3.2	
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	dia.	Jacky J		1068.00		&1806.3.4	
	deep A:	2.34*P/(51x	b)	1.38	ft 1	BC 1807.3.2.1	
07 ft 67 ps	116 d.	0.5A(1+v(1+	(4 3664))	4.24			
able 1806		0.34[1+4[1+	(4.30(04))	4.24	14		
							1
3	size:		Nomir	nal Yield M	loment		-
		75 in	Mnp=			15 k-in	
	S:		φ _b		0		
	A come of	2 in	φ _u M _{np}	al.		3 k-in	
					ty: 0.8	1 OKAY	
	b eff : ·	4 in	Dema	nd/Capaci		1 OKAY	
/bolt	b eff : n: Steel A36	4 in 1 bolts	Dema Nomir	nd/Capaci nal Yield N	loment		
/bolt	b eff : 4 n: 5 Steel A36 Ftuw : 3	4 in 1 bolts 6 ksi	Dema Nomir Mnp=	nd/Capaci nal Yield N	loment 20.2	!5 k-in	
/bolt	b eff : 4 n: 5 Steel A36 Ftuw : 3 Ftyw : 3	4 in 1 bolts 6 ksi 6 ksi	Dema Nomir Mnp= Φt:	nd/Capaci nal Yield N Fy*Z:	loment 20.2 0	!5 k∹in 9	
/bolt	b eff : 4 n: 5 Steel A36 Ftuw : 3 Ftyw : 3 F cyw : 3	4 in 1 bolts 6 ksi	Dema Nomir Mnp= Φt: ΦaMap	nd/Capaci nal Yield N Fy*Z:	loment 20.2 0. 18.2	5 k-in 9 13 k-in	
	b eff : n: Steel A36 Ftuw : 3 Ftyw : 3 F cyw : 3 Kt:	4 in 1 bolts 6 ksł 6 ksł 6 ksł 1	Dema Nomir Mnp= Φ _b Φ _b M _{np} Dema	nd/Capaci nal Yield M Fy*Z: ,: nd/Capaci	loment 20.2 0 18.2 ty: 0.8	5 k-in 9 13 k-in	
	b eff : n: Steel A36 Ftuw : 3 Ftyw : 3 F cyw : 3 Kt:	4 in 1 bolts 6 ksł 6 ksł 6 ksł 1	Dema Nomir Mnp= Φ _b Φ _b M _{np} Dema	nd/Capaci nal Yield M Fy*Z: ,: nd/Capaci	loment 20.2 0 18.2 ty: 0.8	5 k-in 9 13 k-in	
DF	b eff: 4 n; 4 Steel A36 Ftuw: 3 Ftyw: 3 Ftyw: 3 Kt: 4 RIVE T	4 in 1 bolts 6 ksi 6 ksi 1 bolts	Dema Nomir Mnp= Φ_{tc} $\Phi_{t}M_{mp}$ Dema	nd/Capaci nal Yield M Fy*Z: ,: nd/Capaci	00ment 20.2 0 18.2 ty: 0.8	9 9 3 k-in 1 OKAY	
DF	b eff : n: Steel A36 Ftuw : 3 Ftyw : 3 F cyw : 3 Kt:	4 in 1 bolts 6 ksi 6 ksi 1 bolts	Dema Nomir Mnp= Φ_{tc} $\Phi_{t}M_{mp}$ Dema	nd/Capaci nal Yield M Fy*Z: ,: nd/Capaci	00ment 20.2 0 18.2 ty: 0.8	9 9 3 k-in 1 OKAY	
DF	b eff: steel A36 Ftuw: 3 Fcyw: 3 Fcyw: 3 Kt: RIVE T CE B	4 in 1 bolts 6 ksi 6 ksi 1 HRU AR	Dema Nomir Mnp= Φ_{B} $\Phi_{B}M_{B}$ Dema SIC	nd/Capaci nal Yield W Fy*Z: ,: nd/Capaci MA TA	loment 20.2 0 18.2 18.2 18.2 0.8 5 5 5 6 6 6 6 6 6 6 6 6 6 1 1 5 5 6 1 1 5 5 1 8 1 8 1 8 1 8 1 8 1 8 1 8 1 8	9 9 3 k-in 1 OKAY	
DF	b eff: 4 n; 4 Steel A36 Ftuw: 3 Ftyw: 3 Ftyw: 3 Kt: 4 RIVE T	4 in 1 bolts 6 ksi 6 ksi 1 HRU AR	Dema Nomir Mnp= Φ_{B} $\Phi_{B}M_{B}$ Dema SIC	nd/Capaci nal Yield W Fy*Z: ,: nd/Capaci MA TA	loment 20.2 0 18.2 18.2 18.2 0.8 5 5 5 6 6 6 6 6 6 6 6 6 6 1 1 5 5 6 1 1 5 5 1 8 1 8 1 8 1 8 1 8 1 8 1 8 1 8	9 9 3 k-in 1 OKAY	
	RIVE T CE B	4 in 1 bolts 6 ksi 6 ksi 1 HRU AR 0NS, (Dema Nomir Mnp= Φ_{B} $\Phi_{B}M_{B}$ Dema SIC	nd/Capaci nal Yield W Fy*Z: ,: nd/Capaci MA TA	loment 20.2 0 18.2 18.2 18.2 0.8 5 5 5 6 6 6 6 6 6 6 6 6 6 1 1 5 5 6 1 1 5 5 1 8 1 8 1 8 1 8 1 8 1 8 1 8 1 8	9 9 3 k-in 1 OKAY	
	b eff: steel A36 Ftuw: 3 Fcyw: 3 Fcyw: 3 Kt: RIVE T CE B	4 in 1 bolts 6 ksi 6 ksi 1 HRU AR 0NS, (Dema Nomir Mnp= Φ_{B} $\Phi_{B}M_{B}$ Dema SIC	nd/Capaci nal Yield W Fy*Z: ,: nd/Capaci MA TA	loment 20.2 0 18.2 18.2 18.2 0.8 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5	9 9 3 k-in 1 OKAY	
	RIVE T CE B OCATIC STRIES, II	4 in 1 botts 6 ksi 6 ksi 1 HRU AR ONS, (NC.	Dema Nomir Dema Dema SIG DE CALIF	nd/Capaci nal Yield IV Fy*Z: SNA SNA TA	toment 20.2 0 18.2 18.2 18.2 18.2 18.2 18.2 18.2 18.2	5 k-in 9 3 k-in 1 окау	1
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	RIVE T CE B OCATIC STRIES, II	4 in 1 botts 6 ksi 6 ksi 1 HRU AR ONS, (NC.	Dema Nomir Dema Dema SIG DE CALIF	nd/Capaci nal Yield IV Fy*Z: SNA SNA TA	toment 20.2 0 18.2 18.2 18.2 18.2 18.2 18.2 18.2 18.2	5 k-in 9 3 k-in 1 окау	1

Project:

Location: 2122 BRISTOL ST. NEWPORT BEACH, CA 92660

Client Approval:

Date of Approval:

Sales Rep Paul L

i dui E.				
Date: 03-26-	Drawn by: 22 L.S.			
$\hat{\Lambda}$	08-19-22	L.S.		
8	08-23-22	L.S.		
3	06-01-22	L.S.		
4	06-13-22	L.S.		
<u>⁄5</u>	08-02-22	L.S.		
6	08-18-22	L.S.		

Electrical Requirement:

277 Volts



Luis Soria / Sign cad drafter date: 08/23/22



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Drawing No 22-117



Page: 7.2



FRONT ELEVATION

SIDE ELEVATION



Project:



Location: 2122 BRISTOL ST. NEWPORT BEACH, CA 92660

Client Approval:

Date of Approval:

Sales Rep Paul L

Taure.				
Date: 03-26-	Drawn by: 22 L.S.			
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6	08-18-22	L.S.		

Electrical Requirement

277 Volts



Luis Soria / Sign cad drafter date: 08/23/22



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Drawing No













Location: 2122 BRISTOL ST. NEWPORT BEACH, CA 92660

Client Approval:

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Sales Rep Paul L

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6	08-18-22	L.S.		

Electrical Requirement:

277 Volts



Luis Soria / Sign cad drafter date: 08/23/22



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Drawing No





Page: 8.1





Location: 2122 BRISTOL ST. NEWPORT BEACH, CA 92660

Client Approval:

Date of Approval:

Sales Rep Paul L

Taure.				
Date: 03-26-	Drawn by: -22 L.S.			
$\widehat{\Lambda}$	08-19-22	L.S.		
8	08-23-22	L.S.		
3	06-01-22	L.S.		
4	06-13-22	L.S.		
5	08-02-22	L.S.		
6	08-18-22	L.S.		

Electrical Requirement

277 Volts



Luis Soria / Sign cad drafter date: 08/23/22



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Drawing No





Page: **9**0











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Date: 03-26	Drawn by: -22 L.S.	
$\widehat{\Lambda}$	08-19-22	L.S.
8	08-23-22	L.S.
3	06-01-22	L.S.
4	06-13-22	L.S.
5	08-02-22	L.S.

Electrical Requirement:

6

08-18-22

120 Volts 277 Volts

L.S.

Luis Soria / Sign cad drafter date: 08/23/22



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22-11







2 1/2" SQUARE X 1/4" PLATE (TYP. 1 OF 4)

THRU HOLES FOR MOUNTING (TYP.)

9.843" X 3.973 X 3/16" STEEL POST WELDED TO STEEL BASE PLATE

ANCHOR BOLT

NTS



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Location: 2122 BRISTOL ST. NEWPORT BEACH, CA 92660

Client Approval:

Date of Approval

Sales Rep Paul L

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Date: 03-26-	Drawn by: 22 L.S.	
$\widehat{\Lambda}$	08-19-22	L.S.
8	08-23-22	L.S.
3	06-01-22	L.S.
4	06-13-22	L.S.
5	08-02-22	L.S.
6	08-18-22	L.S.

Electrical Requirement:

277 Volts



Luis Soria / Sign cad drafter date: 08/23/22



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Page: **9.2**



7' - 10 1/2" **REQUIREMENTS FOR ELECTRICAL ILLUMINATION:** PRIMARY ELECTRICAL TO SIGN LOCATIONS TO BE PROVIDED BY OTHERS. A DEDICATED CIRCUIT STEEL MOUNTING WITH NO SHARED NEUTRALS AND A GROUND RETURNING TO THE PANEL IS REQUIRED FOR INSTALLATION. BASE PLATE ALL TRANSFORMERS SHALL BE, (GFI) GROUND FAULT-INTERRUPTED TRANSFORMERS. WELDED TO ALL SIGNS HAVE - DEDICATED BRANCH CIRCUIT 3/4" STEEL POST - THREE WIRES : LINE, NEUTRAL, & GROUND - WIRE SIZE : MINIMUM OF 12 GA. THHN COPPER WIRE 9 ALSO NOTE: GAUGE OF WIRE IS DETERMINED BY THE LENGTH OF RUN & AMPERAGE AS PER NEC ARTICLE 300. HOT DIPPED - GROUND WIRE MUST BE CONTINUOUS AND GO FROM THE SIGN TO THE PANELBOARD GROUND BUS. õ GALVANIZED LEVELING VOLTAGE SHOULD READ NO MORE THAN 3 VOLTS BETWEEN GROUND AND NEUTRAL. - CONDUIT CAN NOT BE USED AS GROUND PATH NUTS (4) REQUIRED - A UL DISCONNECT SWITCH IS IN THE SIGN OR REMOTE POWER SUPPLY -SIGN CIRCUIT MUST BE ON A LIGHTING CONTROL PANEL, ASTRONOMICAL TIME CLOCK OR PHOTO CELL ALONG NON-STRUCTURAL W/ 24 HR TIME CLOCK 6 3/4" **BASE COVER** POWER TO SIGN MUST BE DONE BY A LICENSED ELECTRICIAN OR ELECTRICAL CONTRACTOR. This sign is intended to be installed in accordance with the requiren of Article 600 of the National Electrical Code and/or other applicable NATURAL GRADE OR des. This includes proper grounding and bonding of the sign. **ENGINEERED FILL** Dedicated 20 Amp Circuit at 120 Volts 1/2 CONDUIT 1' - 6" 7" 4"

MIN

. "

FRONT ELEVATION

7" 3/4" STEEL BASE PLATE 2" 5" 2' 5' ANCHOR BOLT (TYP 1 OF 4) 8" X 4" X 0.1875" ť STEEL 10-TUBE POST <u>م</u> 2 1/2" SQUARE WELDED X 1/4" PLATE ÷ TO BASE έ WASHER PLATE (TYP. 1 OF 4)) + + + +ť THRU HOLE 2" FRONT EDGE 5' FOR MOUNTING FACING DRIVE (TYP.) THRU LANE



CLOSING HOURS





DRIVE THRU 5-PANEL MENU SIGN \sim Qty (1)

SIDE ELEVATION





Project:

Location: 2122 BRISTOL ST. NEWPORT BEACH, CA 92660

Client Approval:

Date of Approval:

Sales Rep Paul I

1 auri		
Date: 03-26-	Drawn by: 22 L.S.	
$\hat{\Lambda}$	08-19-22	L.S.
8	08-23-22	L.S.
3	06-01-22	L.S.
4	06-13-22	L.S.
<u>⁄5</u>	08-02-22	L.S.
6	08-18-22	L.S.

Electrical Requirement:

277 Volts



Luis Soria / Sign cad drafter date: 08/23/22



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Scale: 1" = 3/4"



Page: 10.0



(26.10-1) II) q _z = 0	.00256*Kz	*K _{zt}	*K _d *K	e*V ²
	mph ;	per ATC Co	una	il	
0.85		26.6-1)			
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1	- 10 C	is unusual		rain)	
1	(for a	I elevation	1)		
0.85	ft				
5.25	" ft				
7.88	ft				
0.68					
2.21					
1.61					
ASCE fig.	(Table 29.4-1 th	erefore:		_	1.0
t*G*Cf	Ar	Shear	Wir	nd Mo	ment
psf	ft ²	lb		lb-ft)
56.94	2	114		26	
56.94 56.94	2 28.05	114 1597		115 5543	
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(E3-3) = 28 = 35 = 61 = 143	False, Try True Secti True, Sect False, Try	on is Non Co ion is Compa		act	
(E3-3) = 28 = 35 = 61	False, Try True Secti True, Sect False, Try \$\phi=0.90	on is Non Co ion is Compa other	ict		
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(E3-3) = 28 = 35 = 61 = 143 LRFD	False, Try True Secti True, Sect False, Try φ=0.90 ØPc= φMn=	on is Non Co ion is Compa other 115. 20. 22.	83. 06	leips- k-ft	(E-1 (17-1) (17-2
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0	SHEET:	1	OF	1



Location: 2122 BRISTOL ST. NEWPORT BEACH, CA 92660

Client Approval:

Date of Approval

Sales Rep Paul L

i uuri		
Date: 03-26-	Drawn by: 22 L.S.	
$\widehat{\Lambda}$	08-19-22	L.S.
8	08-23-22	L.S.
3	06-01-22	L.S.
4	06-13-22	L.S.
5	08-02-22	L.S.
6	08-18-22	L.S.

Electrical Requirement:

277 Volts



Luis Soria / Sign cad drafter date: 08/23/22



2101 Carrillo Privado, Ontario, CA 91761 (909) 930-0303 Fax: (909) 930-0308 E-mail: design@signindustries.tv Web: www.signindustries.tv

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Drawing No





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SPECIFICATIONS

Sq. Ft.

70

- CABINET: **EXISTING PYLON SIGN**
- FACES: NEW WHITE ACRYLIC FACES
- "STARBUCKS LOGO": 3M #3630-76 HOLLY GREEN VINYL OVERLAY GRAPHICS: "DRIVE THRU" BLACK VINYL OVERLAY



EXISTING PYLON SIGN CONDITIONS



EXISTING PYLON SIGN - PROPOSED SIGNS

Scale: NTS

Project:



Location: 2122 BRISTOL ST, NEWPORT BEACH, CA 92660

Client Approval:

Date of Approval:

Sales Rep: Paul L.

Date: 03-26-	Drawn by: 22 L.S.	
$\widehat{\Lambda}$	08-19-22	L.S.
8	08-23-22	L.S.
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<u></u> <u> </u>	08-02-22	L.S.
6	08-18-22	L.S.

Electrical Requirement:

277 Volts



Luis Soria / Sign cad drafter date: 08/23/22



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Page: **11.0**





Location: 2122 BRISTOL ST. NEWPORT BEACH, CA 92660

Client Approval:

Date of Approval:

Sales Rep: Paul L

Fault		
Date: 03-26-	Drawn by: 22 L.S.	
$\hat{\Lambda}$	08-19-22	L.S.
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6	08-18-22	L.S.

Electrical Requirement:

277 Volts



Luis Soria / Sign cad drafter date: 08/23/22



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STATE OF CALIFORNIA

Sign Lighting NRCC-LTS-E (Created 03/2021

CALIFORNIA ENERGY COMMISSION

CERTIFICATE OF COMPLIANCE NRCC-LTS-E This document is used to demonstrate compliance with requirements in \$110.9, \$110.12, \$130.0, \$130.3, \$140.8, and \$141.0(b)2M for sign lighting scopes using the prescriptive path. Exit signs and traffic signs are not required to comply with prescriptive requirements per exceptions to \$140.8 and do not need to complete this compliance document. Project Name: STARBUCKS Page 1 of 4 Report Page: Project Address: 2122 Bristol St Date Prepared: 06/02/22

A. GENERAL INFORMATION 01 Project Location (city) YORBA LINDA 02 Climate Zone 10

03 Building is a healthcare facility

B. PROJECT SCOPE

Table Instructions: Include any illuminated signs that are within the scope of the permit application and are demonstrating compliance using the prescriptive path outlined in \$140.8 or \$141.0(b)2M for alterations. Exit signs and traffic signs are not required to comply with prescriptive requirements per exceptions to \$140.8 and do not need to complete this compliance document. WARNING: Changing the Compliance Method in this table will result in the deletion of data previously input. If you need to change the compliance method, please open a new form or use "Save As".

01	02	03	04	05
Name or Item Tag	Complete Sign Description	Sign Status'	Sign Type	Compliance Method ²
а	logo wall sign	New	Outdoor	ENERGY VERIFIED Label
b	channel letters	New 💌	Outdoor	ENERGY VERIFIED Label
С	illuminated cabinet	New 💽	Outdoor	ENERGY VERIFIED Label
d/e	directional signs	New	Outdoor	ENERGY VERIFIED Label
g/h/i	drive thru signs	New	Outdoor	ENERGY VERIFIED Label
	1		Add Sign Lighting System	Remove Last Sign Lighting System

FOOTNOTE: Sign alterations that increase the connected lighting load, replace and rewire more than 50% of the ballasts, or relocate the sign to a different location must comply with §140.8. See §141.0/b)2M for more details.

³The ENERGY VERIFIED Label compliance method is only applicable if the sign has a permanent, factory-installed, ENERGY VERIFIED label certified by UL or comparable, confirming the sign complies with §140.8. Note that using an ENERGY VERIFIED label is an optional compliance path, not a mandatory requirement. See the tool tips for this table for more details.

C. COMPLIANCE RESULTS

01	02	03	04		05		06	07
Name or Item Tag	Complete Sign Description	Total Allowed (Watts)	Total Designed (Watts)	OR	Compliant Light Sources	OR	ENERGY VERIFIED Label	Compliance Results
See Table B)	(See Table B)	(See Table F)	(See Table F)		(See Table G)	11	(See Table H)	

CA Building Energy Efficiency Standards - 2019 Nonresidential Compliance: http://www.energy.ca.gov/title24/2019 STATE OF CALIFORNIA

Sign Lighting NRCC-LTS-E (Created 03/2021)		
CERTIFICATE OF COMPLIANCE		NRCC-LTS-E
Project Name: STARBUCKS	Report Page:	Page 2 of 4
Project Address: 2122 Bristol St	Date Prepared:	06/02/22

Table Cost

а	logo wall sign	2	OR	OR	YES	COMPLIES
	· · · · · · ·		Controls Com	pliance (See Table I	F/G/H for Details)	COMPLIES
b	channel letters	2	OR	OR	YES	COMPLIES
			Controls Com	pliance (See Table I	F/G/H for Details)	COMPLIES
C	illuminated cabinet	2	OR	OR	YES	COMPLIES
			Controls Com	pliance (See Table I	F/G/H for Details)	COMPLIES
d/e	directional signs	2	OR	OR	YES	COMPLIES
11-	d.	1	Controls Com	pliance (See Table I	F/G/H for Details)	COMPLIES
g/h/i	drive thru signs	2	OR	OR	YES	COMPLIES
			Controls Com	pliance (See Table I	F/G/H for Details)	COMPLIES

D. EXCEPTIONAL CONDITIONS

This table is auto-filled with uneditable comments because of selections made or data entered in tables throughout the form.

to exceptional conditions apply to this project.

E ADDITIONAL REMARKS

This table includes remarks made by the permit applicant to the Authority Having Jurisdiction.

F. MAXIMUM ALLOWED LIGHTING POWER AND CONTROLS

This Section Does Not Apply

G. LIGHT SOURCES AND CONTROLS

This Section Does Not Apply

H. ENERGY VERIFIED LABELED SIGNS AND CONTROLS

Table Instructions: Complete this table to demonstrate compliance with mandatory controls requirements from \$130.3 for illuminated signs using the ENERGY VERIFIED label compliance method per \$140.8(b) as indicated on Table B of this compliance document. Complete this table only if sign has a permanent, pre-printed, factory installed, ENERGY VERIFIED label confirming that the sign complies with the Section 140.8 of the California 2019 Title 24, Part 6 Standards. Table Continued

STATE OF CALIFORNIA

Sign Lighting

CERTIFICATE OF		м.
Project Name:	STARBUCKS	Report Page:
Project Address:	2122 Bristol St	Date Prepared:

01	02	03			0	4	
Name or		N	Mandatory Controls			Field Inspector	
Item Tag	Complete Sign Description	Shut-Off	Dimming	Demand Response'	Pass	Fail	
a	logo wall sign	Auto Timer + Photocontrol	Pwr. reduced 65%+ 💽	NA 🔽			
b	channel letters	Auto Timer + Photocontrol	Pwr. reduced 65%+ 💽	NA 🔽			
c	illuminated cabinet	Auto Timer + Photocontrol	Pwr. reduced 65%+ 💽	NA 🔽			
d/e	directional signs	Auto Timer + Photocontrol	Pwr. reduced 65%+ 💽	NA 🔽			
g/h/i	drive thru signs	Auto Timer + Photocontrol	Pwr. reduced 65%+ 💽	NA 🔽			

EX: Sign within tunnel illuminated day & night; EXCEPTION to \$130.3(a)2A.

FOOTNOTE: Demand response controls are only required for an Electronic Message Center having a new connected lighting power load greater than 15 kW per §110.12(d).

I. DECLARATION OF REQUIRED CERTIFICATES OF INSTALLATION

Table Instructions: Selections have been made based on information provided in previous tables of this document. If any selection needs to be changed, please explain why in Table E. Additional Remarks. These documents must be provided to the building inspector during construction and can be found online at https://www.energy.ca.gov/ title24/2019standards/2019 compliance documents/Nonresidential Documents/NRCI/

YES	NO Form/Title		Field Inspector	
TES NO		Formy fide		Fail
	0	NRCI-LTS-01-E - Must be submitted for all buildings.		

J. DECLARATION OF REQUIRED CERTIFICATES OF ACCEPTANCE There are no Certificates of Acceptance applicable to sign lighting requirements. STATE OF CALIFORNIA

Sign Lighting

March 2021

NRCC-L	IS-F (Created 03/2021)	

CERT		

Project Name:	STARBUCKS	Report Page:	
Project Address:	2122 Bristol St	Date Prepared:	

DOCUMENTATION AUTHOR'S DECLARATION STATEMENT I certify that this Certificate of Compliance documentation is accurate and complete

Documentation Author Name:	BILLIE JO WILLIAMS	Documentation Author Signature:	Bi
Company:	SIGN INDUSTRIES	Signature Date:	
Address:	2101 CARRILLO PRIVADO	CEA/ HERS Certification Identification (if ap	
City/State/Zip:	ONTARIO CA 91761	Phone:	909
PESPONISIPIE DEPSON'S DECLAR	ATION STATEMENT		

ESPONSIBLE PERSON'S DECLARATION STATEMENT

certify the following under penalty of perjury, under the laws of the State of California:

1. The information provided on this Certificate of Compliance is true and correct.

2. I am eligible under Division 3 of the Business and Professions Code to accept responsibility for the building design or system design identified on this Certificate of Compliance (responsible designer)

8. The energy features and performance specifications, materials, components, and manufactured devices for the building design or system design identified on this Certificate of Compliance conform to the requirements of Title 24, Part 1 and Part 6 of the California Code of Regulations.

The building design features or system design features identified on this Certificate of Compliance are consistent with the information provided on other applicable compliance documents, worksheets, calculations, plans and specifications submitted to the enforcement agency for approval with this building permit application.

I will ensure that a completed signed copy of this Certificate of Compliance shall be made available with the building permit(s) issued for the building, and made available to the enforcement agency for all applicable inspections. I understand that a completed signed copy of this Certificate of Compliance is required to be included with the documentation the builder provides to the building owner at occupancy.

documentation the builder provides to the building owner at occupancy.				
Responsible Designer Name:	PRISCILLA SAAVEDRA	Responsible Designer Signature:	Pris	
Company :	SIGN INDUSTRIES	Date Signed:	3	
Address:	2101 CARRILLO PRIVADO	License:		
City/State/Zip:	ONTARIO CA 91761	Phone:	909 9	

Project:



Location: 2122 BRISTOL ST. NEWPORT BEACH, CA 92660

Client Approval:

Date of Approval:

Sales Rep Paul L.

Date: 03-26	Drawn by: 22 L.S.			
$\hat{\Lambda}$	08-19-22	L.S.		
8	08-23-22	L.S.		
3	06-01-22	L.S.		
4	06-13-22	L.S.		
5	08-02-22	L.S.		
6	08-18-22	L.S.		

Electrical Requirement

277 Volts



Luis Soria / Sign cad drafter date: 08/23/22



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CALIFORNIA ENERGY COMMISSION NRCC-LTS-E Page 3 of 4 06/02/22

Reset



Billie Jo Williams 06/02/22

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riscilla Saavedra 06/02/22

930 0303

Remove Last